

The New Criterion

May 2002

A monthly review *edited by Hilton Kramer*

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Published monthly except July and August by The Foundation for Cultural Review, Inc., 850 Seventh Avenue, New York, NY 10019, a nonprofit public foundation as described in Section 501 (c) (3) of the Internal Revenue code, which solicits and accepts contributions from a wide range of sources, including public and private foundations, corporations, and the general public. ISSN 0734-0222. May 2002, Volume 20, Number 9. Subscriptions: \$42 for one year, \$78 for two. For Canada and Mexico, add \$7 per year. Outside North America, add \$14 per year. Periodicals postage paid at New York, NY, and at additional mailing offices. Postmaster and subscribers: send change of address, all remittances, and subscription inquiries to The New Criterion, P.O. Box 3000, Denville, NJ 07834. Copyright © 2002 by The Foundation for Cultural Review, Inc. Newsstand distribution by Eastern News Distributors, Inc., One Media Way, 12406 Rt. 250, Milan, OH 44846. (800) 221-3148. Available in microfilm from University Microfilms, 300 N. Zeeb Road, Ann Arbor, MI 48106. All correspondence should be addressed to The New Criterion, 850 Seventh Avenue, New York, NY 10019. (212) 247-6980. Notice of nonreceipt must be sent to the Office Manager within three months of the issue date. Internet: <http://www.newcriterion.com> Email: letters@newcriterion.com

Advertising: Fred Stern, 44 Paulin Boulevard, Leonia, NJ 07605. (201) 947-2674.

Subscriptions: To subscribe, renew, or report a problem please call (800) 783-4903.

The New Criterion is designed by Alvin and James Eisenman. It is set in 10-point Galliard and is printed by Science Press in Ephrata, Pennsylvania, USA.



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Notes & Comments:

May 2002

The new Gleichschaltung

Last month, we reported in this space on the European Union's so-called "document police." This new-age constabulary can walk without warning, and without a warrant, into any business in search of evidence of "price fixing and abuse of market power." As if this proto-totalitarian policy were not bad enough, the EU's anti-trust investigators are seeking to expand their powers. For example, they want to be able to search—again without warning or a warrant—the homes of business executives suspected of malfeasance and to question employees without granting them the right to remain silent or the right to an attorney.

This is hardly the only ominous news coming out of Brussels these days. If the unelected bureaucrats running the EU get their way, the document police will soon be joined by a brigade of thought police. As was recently reported in *The Daily Telegraph*, Brussels is proposing to make racism and xenophobia crimes that would carry a prison sentence of two or more years. The draft proposal defines "racism" and "xenophobia" as harboring "an aversion" to people based on "race, colour, descent, religion or belief, national or ethnic origin." What counts as "an aversion"? That's for the bureaucrats—or perhaps the police—to decide. It will also

criminalize any attempt to "trivialize" or deny the atrocities committed by the Nazis.

Nor is that all. The *Telegraph* also reported that Europe is attempting to "harmonize" its laws so that police can arrest and try citizens of the fifteen-member states anywhere in the EU. So if you are British and you say something nasty about the French while on vacation in Greece, you might wind up in a Greek jail for two "or more" years. Since the EU made it illegal for journalists to criticize its policies a year or two ago, it is not clear what sort of debate this latest piece of totalitarian legislation will spark. Of course, this is not the first time that Europe has attempted to "harmonize" its laws. Beginning in 1933, there was a concerted effort to "harmonize" not only the laws but also all of social life. The German word for the process was *Gleichschaltung*. That time the effort came out of Berlin. It almost worked. It took the combined military might of England, the United States, and the Soviet Union to stop that earlier push for "harmony." It is anyone's guess what it will take to stop this new, Brussels-based effort.

The new generation's fools

Brussels' trek down the road to bureaucratic centralization seems all the more

ominous in view of the striking rise in that predictable concomitant of totalitarianism: anti-Semitism. For whatever reason, the two impulses seem to go together. As has been widely reported in the press, a new wave of anti-Semitism has been sweeping across Europe—above all in France, the native land of Captain Dreyfus, but also elsewhere. The demonstrations, violence, and heckling are often presented as anti-Israeli sentiment, but it is clear that fueling the outrage is a core of anti-Semitic animus. The recent news of Le Pen's startling upsets at the French polls has produced some delightful breast-beating among French socialists but cannot be regarded as encouraging.

Or consider Tom Paulin, the British poet, Oxford don, and left-wing activist. In a recent interview in the Egyptian newspaper *Al-Ahram*, Mr. Paulin was quoted as saying that "Brooklyn-born" Jewish settlers "should be shot dead. I think they are Nazis, racists, I feel nothing but hatred for them." As for Israel, Mr. Paulin announced that he "never believed that Israel had the right to exist at all."

Extreme? Sure. But Mr. Paulin's sentiments are less uncharacteristic than you might think. Even in America there has been a sharp rise in anti-Semitic feeling, especially on campus. As the historian Ronald Radosh noted in a recent article for *National Review Online*, anti-Semitism has sprouted anew on college campuses across the country and is a regular ingredient in left-wing student agitation: anti-capitalist, anti-Western, anti-globalization, and now anti-Semitic as well. At the University of California at Berkeley, Mr. Radosh reports, the plate-glass window of the Hillel center was smashed, and a Jewish student was attacked and beaten. "As they move toward building a new . . . pro-Palestinian movement in the U.S.," Mr. Radosh writes,

students on the left are using tactics created by

their elders, as well as the themes and arguments of the anti-apartheid campaign of the 1980s. In so doing, they are ignoring the warning of August Bebel, the founder of German social democracy, to his erstwhile comrades early in the twentieth century. Detecting the rise of anti-Semitism among his own comrades, Bebel told German workers that they should not be fooled into hatred of the Jews, when their only true foe was capitalism. He called such tactics "the socialism of the fools."

In our modern world of globalized democratic capitalism, the Left seems to once again be moving in the same direction as those whom Bebel scolded decades ago. This time, however, it is anti-Israelism combined with anti-imperialism that is the equivalent of the socialism of the fools. Perhaps we should dub it the "anti-imperialism of the new generation's fools." The world's troubles are blamed on Israel, and the onus for the new conflagration is being put on the Middle East's only democracy, whose leaders seek, justifiably, to root out the terrorist infrastructure in their midst. In trying to build a new anti-Israeli consensus, the student Left echoes the propaganda of the Arab dictatorships, whose leaders desire more than anything else to put the blame for the terrible state in which their own residents live on Israel.

Harvard's black comedy, II

In February, we reported on the farce then playing itself out at Harvard University's Afro-American studies department. Cornel West—pop philosopher, rap musician, political advisor to the Al-Sharpton-for-president campaign—was in a snit because Harvard's president, Lawrence H. Summers, had the temerity to suggest that he do some real scholarly work. After all, West was one of only fourteen Harvard faculty members to hold the coveted title of University Professor. He was being paid a small fortune. Shouldn't he perform like a

University Professor? Ah, but that would be to hold Professor West to the same standards as his white colleagues. How unfair.

President Summers was soon made to see his error. A revolt among the black faculty at Harvard along with a couple of front-page stories and a blistering editorial in *The New York Times* saw to that. Not only did President Summers retract his criticism, he also engaged in some conspicuous public groveling and penance. It was all a “terrible misunderstanding,” he said. He had deep respect for Cornel West and his brilliant work. He was a firm supporter of Afro-American Studies at Harvard. Etc.

A lot of good it did him. When the controversy first broke, Cornel West made ominous noises about folding his tent and decamping to Princeton University. (How many white faculty members do you know who have their pick of the Ivy League?) What wailing and gnashing of teeth there was over the prospect of that defection! Well, now the worst has come to pass. As yet another front-page story in our paper of record reported, Professor West has decided to make good on his threat and go to Princeton. According to the *Times*, the poor man felt “disrespected” by President Summers: “‘Cornel is very hurt,’ a close associate said. ‘His pride is wounded. He feels he has no choice but to leave if he is to protect his honor.’” Oh dear. President Summers was courteous in defeat. “All of us in the Harvard community are grateful to Cornel West for his significant contribution to Harvard academic life,” he said. “We will miss him, and I wish him every success at Princeton.” For his part, Cornel West described President Summers as “the Ariel Sharon of

American higher education.” It was not meant as a compliment.

Henry Louis Gates, Jr., the chairman of Harvard’s Afro-American Studies department, said that Cornel West’s departure would be “devastating” for Harvard. What’s really devastating, however, is the academic apartheid represented by most Afro-American studies departments. Too often, they are ghettos of special privilege, pseudo-scholarship, and political grievance-mongering. Everyone knows this, but most college administrators are too terrified of being called racist to do anything about it. Professor Gates lamented that Cornel West’s departure marked “the end of an era” at Harvard. If only he were correct!

Sun rise

Among the many reasons adduced for the awfulness of *The New York Times*—its arrogance, its sloppiness, its almost risible political correctness—is the paper’s lack of competition. With the demise of *The New York Tribune* in 1966, the last serious competitor to the *Times* vanished. That unfortunate situation may be about to be corrected. As of April 16, New York has a new broadsheet. Called *The New York Sun*, it revives a defunct paper that, like the *Tribune*, went out of business years ago. For the moment, the *Sun* is a modest one-section paper and is published only five days a week. But if its first issues are anything to go by, the *Times* will finally have some real competition in its local reporting and in its coverage of culture. Readers may subscribe to the *Sun* by telephone at 866.692.7861 (toll free) or on-line at www.nysun.com.

Adversary jurisprudence

by Robert H. Bork

The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by law.

—Oliver Wendell Holmes

Every law or rule of conduct must, whether its author perceives the fact or not, lay down or rest upon some general principle, and must therefore, if it succeeds in attaining its end, commend the principle to public attention and imitation and thus affect legislative opinion.

—A. V. Dicey

The nightmare of the American intellectual is that the control of public policy should fall into the hands of the American people. . . . [P]olicymaking by the justices of the Supreme Court, intellectuals all, in the name of the Constitution, is the only way in which this can be prevented.

—Lino Graglia

Until recently, the name of Charles Pickering was hardly a household word. That changed the moment President Bush nominated the obscure federal trial judge for a seat on a court of appeals. Overnight, Judge Pickering became the latest casualty of the cultural wars. If there was no compelling reason that Pickering should have been elevated to an appeals court, there was certainly no good reason why he should not have been. Candidates no better qualified have in the past been routinely confirmed by the Senate. He was not. Instead, in a scenario that has become depressingly

familiar, he was vilified by the media and anti-Bush partisans. His candidacy was scuttled by a party-line vote in the Judiciary Committee, which denied him consideration by the full Senate where he probably would have been confirmed.

What was surprising about the unfortunate Pickering's travails was the brutality of the campaign against him. We have, alas, become accustomed to such battles over Supreme Court nominees. Until now, however, such battles had not extended to nominations to the lower courts. The immediate explanation, of course, was that the Democratic Party and its allies—People for the American Way, NOW, NARAL, and other left-wing groups—immolated Pickering to warn George Bush that they had the votes in the Committee to defeat any Supreme Court nominees who bore the slightest resemblance to Justices Antonin Scalia and Clarence Thomas.

The political struggle for control of the courts has become open and savage precisely because it is a major part of the war in our culture, a battle for dominance between opposed moral visions of our future. In that battle, Supreme Court Justices are the major prize, but appeals court nominees are also important because those courts are final for all but the tiny sliver of cases accepted by the Supreme Court for review.

The outcome of the struggle for control of the courts will determine the future of

the rule of law and hence the prospects for the survival of traditional American culture. The culture war has been best described by James Davison Hunter, who first adapted the term to the American context. On one side are traditionalists who accord a presumption of legitimacy and worth to longstanding sources of cultural authority, sources whose strength is eroded or whose continued existence is brought into doubt by the clamor for liberation of the individual. On the other side are the emancipationists, who are highly critical of constituted authorities and institutions and wish to liberate the individual will from such restraints. That is a process that must have limits if a coherent culture is to survive. Our courts, however, continually test and frequently transgress those limits. The disagreement is not merely philosophical; it is intensely political and generates furious passions. It may be roughly summarized as a battle between the ethos of the student radicals of the Sixties and that of adherence to bourgeois virtues.

The emancipationist party is led by—in fact it almost entirely consists of—intellectuals, a group that, as Friedrich Hayek noted, “has long been characterized by disillusionment with [the West’s] principles, disparagement of its achievements, and exclusive concern with the creation of ‘better worlds.’” This destructive utopianism was not too serious as long as intellectuals were an ineffective minority, but they increased in size and influence after World War II, and in the Sixties their values came to predominate.

We are accustomed to manifestations of the liberationist impulse in the institutions controlled by intellectuals: the press (print and electronic), universities, Hollywood, mainline churches, foundations, and other “elite” institutions that engage in shaping or trying to shape our attitudes. Most people, however, do not think of the judiciary—insofar as they think about the judiciary at all—in the same way. They should. Television and motion pictures powerfully influence the direction of our culture but they

do not claim to speak with the authority of the Constitution, nor do they possess the judges’ power to coerce. In truth, television and motion pictures would not have the unfortunate cultural impact they do if courts had not broken the restraints of enacted law. Behavior and language are now routine that not long ago would have met not only with social disapproval but also with legal sanctions. No doubt public attitudes were changing in any event, but they could not have moved so far and so fast if the courts had not weakened moral curbs and made legal restraint impossible.

As many thinkers have noted, the Enlightenment has had a dark as well as a cheerful legacy. If it bequeathed us greater freedom, it also brought with it an attenuated sense of tradition and weaker attachments to communal, familial, and religious values. Although these disruptions accelerated in the 1960s, their real beginning was the growing view that what one did with one’s life was almost entirely a matter of personal choice, owing little to the wishes of family, religion, or community. Today, this disintegration of the culture, and hence of the society, goes by the apparently respectable name of libertarianism, a catchword rather than a philosophy, and one with very unhappy consequences.

To say that this is a general cultural movement that we do not know how to stop or reverse is not to absolve activist courts from their responsibility in causing the damage we see about us. The courts, and especially the Supreme Court, have led the way to cultural dissolution by breaking down the legal barriers that restrain radical individualism. And, in destroying those barriers, an enterprise wicked enough in itself, the Court has also fostered the immoral attitude that the individual will must be completely emancipated, no matter what the cost. The judiciary has in large measure become the enemy of traditional culture. This enterprise of the law deserves the title of adversary jurisprudence.

The political manifestation of the culture war was the 1972 takeover of the Democra-

tic Party by the McGovernites. To put the matter crudely, but by no means inaccurately, since that time the Democratic Party has come to represent the values of the Sixties, while the Republican Party, insofar as it has a pulse, tends to a traditionalist stance on social issues. If it seems odd to refer to politicians as intellectuals, it must be remembered that the term does not signify any particular skill at intellectual work. Ted Turner, Cornel West, and Barbra Streisand qualify; you get the idea. The intelligentsia are influential beyond their numbers because they control the institutions that shape attitudes, ration information, and offer prestige and comfortable lives to the young they recruit. *The New York Times*, Harvard Law School, the Ford Foundation, and NBC's nightly news are a few of many examples.

The performance of the Supreme Court over the past half century follows the agenda of the intelligentsia. The Court majority's spirit is activist and emancipationist: it liberates the individual will in constitutional issues of speech, religion, abortion, sexuality, welfare, public education, and much else. This is what liberalism has become in our time. Judicial activism, a term of abuse flung about freely without much thought, properly refers to the practice of some judges of enunciating principles and reaching conclusions that cannot plausibly be derived from the Constitution they purport to be interpreting. Activism consists in the assumption by the judiciary of powers not entrusted to it by the document which alone justifies its authority. The results are twofold: the erosion of democracy and the movement of the culture in a left-liberal direction. If the text, history, and structure of the Constitution no longer guide and confine the judge, he has nowhere to look but to his own ideas of justice, and these are likely to be formed by the assumptions of the intellectualized elites he has known for most of his life and whose approval he very much wants. When the judge's views are claimed, however implausibly, to be based on the Constitution, the legislators and the

public are helpless. For better or for worse, on crucial issues, an activist Court, not the Constitution, leads and shapes the culture.

At the apex of all our courts, federal and state, sits the Supreme Court of the United States. Its rulings are not merely final but are highly visible and influential statements of the principles our most fundamental document is said, not always credibly, to enshrine for our governance and contemplation. Though these principles are the same as those on the intellectual class agenda, it must be said that there is more diversity of opinion on the Court than there is in the faculty lounges of the law schools. That fact makes the liberal Left anxious and determined to control every new appointment. So far they have been successful. No matter how many Justices are appointed by Republican presidents, the works of the Warren Court and the victories of the ACLU are not reversed.

The small sampling of cases that can be discussed here nevertheless constitutes a cornucopia of judicial activism: no court could arrive at such results by reasoning from the text, history, or structure of the Constitution. Here, as elsewhere in our national life, attitude trumps reason.

The First Amendment to the United States Constitution is a major focal point of the culture war.

Consider freedom of speech. The First Amendment to the Constitution, dealing with speech and religion, is central to America's understanding of itself and its freedoms. The first words of the Amendment are: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press."

The Court has since extended these prohibitions from Congress to all federal, state, and local governments. But that is of secondary importance to the explosive expansion it has given the words "speech" and "establishment." It is indicative both of the Court's radically altered importance in cultural matters and of the late rise of the in-

tellectual class that neither the Speech Clause nor the Establishment Clause, adopted in 1791, occasioned Supreme Court review of official acts until well into the twentieth century.

American law concerning freedom of speech, and perhaps much wider areas of constitutional law, has been deformed by the almost irrebuttable presumption of unswerving rationality and freedom of individual choice embodied in Justice Oliver Wendell Holmes's foolish and dangerous metaphor of the marketplace of ideas. That notion made its debut in 1919 in Holmes's much-lauded dissent in *Abrams v. United States*. The Court majority upheld the convictions under the Espionage Act of Russian immigrants, self-proclaimed "revolutionists" who distributed circulars in New York City advocating a general strike and urging that workers stop producing ammunition to be used against the revolutionaries in Russia. The theory of the prosecution was that the strike, though not so intended, would harm the war effort against Germany. Holmes would have set aside the convictions on statutory grounds, which would have been entirely proper, but he went on to introduce into the First Amendment an unfortunate assumption:

[W]hen men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas—that the test of truth is the power of thought to get itself accepted in the competition of the market.

Holmes certainly knew that horrible ideas are often accepted in the market. The market for ideas has few of the self-correcting features of the market for goods and services. When he wrote, Holmes of course knew nothing of Soviet Communism or German Nazism, but his own experience in the Civil War demonstrated that when ideas differ sharply enough, the truth of one or the other is not settled in the competition of

the market but in the slaughter of the battlefield. Nevertheless, the compelling quality of his prose and the attractiveness to intellectuals of the supposed ultimate supremacy of good ideas has served, down to our own day, to make his absurd notion dominant in First Amendment jurisprudence and, more remotely, in other fields of constitutional law.

Constitutions speak for permanent values and judges are supposed to give those values voice. Instead, representatives of our judiciary are all too often, and increasingly, exemplars of disrespect for the rule of law.

The metaphor of the marketplace not only assumes the goodwill and rationality of most men who have to choose among the ideas offered, but also, by the nature of a market, the choices, desires, and gratifications of the individual are of first importance. Given that assumption, it is an easy step to the thought that no idea should be kept from the market. Individualism is placed above the welfare of the community, a theme that runs throughout constitutional law.

But Holmes, joined again by Brandeis, elevated that thought to incoherence. *Gitlow v. New York* (1925) upheld a conviction under a criminal anarchy statute for publishing a call for the violent overthrow of the government. "If in the long run [Holmes wrote in dissent] the beliefs expressed in proletarian dictatorship are destined to be accepted by the dominant forces of the community, the only meaning of free speech is that they should be given their chance and have their way." This in a case where the defendant urged violent action by a minority to institute a dictatorship that would put a stop to free speech? What happened to the marketplace of ideas? Why, on Holmes's reasoning, were the dominant

forces of the community that enacted the criminal anarchy law not allowed to have their way? That they should, on his reasoning, must be the only meaning of free speech. There is an alarming frivolity in these dissents. "If in the long run the belief, let us say, in genocide is destined to be accepted by the dominant forces of the community, the only meaning of free speech is that it should be given its chance and have its way. Do we believe that?" Alexander Bickel asked. "Do we accept it?" Funny little mustached men wearing raincoats stand on street corners preaching obviously crackpot notions that may one day become the policy of a nation. "Where nothing is unspeakable, nothing is undoable."

The themes of the Holmes-Brandeis dissents were ready at hand for adoption by the intellectualized post-World War II Court. After some wavering, the essence of those dissents became the law in *Brandenberg v. Ohio* (1969). The Court there reversed the conviction under the Ohio Criminal Syndicalism statute of a Ku Klux Klan leader who made a speech threatening to blacks and Jews, ruling that "the constitutional guarantees of free speech and free press do not permit a State to forbid or proscribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to produce such action." To wait until violence is imminent, of course, is likely to wait too long to prevent it.

What benefits can such speech have in a country committed to representative democracy? The ideas involved, if such expostulations can be called ideas, could be offered in Holmes's marketplace uncoupled from calls to violence. A nation that fears only violence but is otherwise indifferent to fundamental republican principles, as the *Abrams* and *Gitlow* dissents and *Brandenberg* would have it, is unlikely to show persistent determination in defending its culture.

Individualistic relativism appears even more clearly in cases dealing with vulgarity,

pornography, and obscenity. The prime example is *Cohen v. California* (1971) which overturned a conviction for disorderly conduct of a man who entered a courthouse wearing a jacket bearing the words "F . . . the Draft" (without the ellipsis). The majority opinion by Justice Powell asked "How is one to distinguish this from any other offensive word?" and answered that no distinction could be made since "one man's vulgarity is another's lyric." The Court would never dream of saying that one man's armed robbery is another's redistribution of wealth in pursuit of social justice. (Although, come to think of it, the Warren Court's solicitude for criminals may have come close to that.)

Cohen was just the beginning. The following year the Court decided *Rosenfeld v. New Jersey*, *Lewis v. New Orleans*, and *Brown v. Oklahoma*. *Rosenfeld* addressed a school board meeting of about 150 people, including about forty children, and on four occasions used the adjective "motherf . . . ing" to describe the teachers, the school board, the town, and the United States. *Lewis* shouted the same epithet at police officers who were arresting her son. *Brown* used the same language in a meeting in a university chapel. None of the convictions—for disorderly conduct, breach of the peace, and use of obscene language in a public place—was allowed to stand. The relativism of these decisions seems to reflect a loss of will to maintain conventional standards. The Court refused to allow punishment for the same obscene and assaultive speech that was tolerated by supine university faculties and administrators in the late 1960s and early 1970s. When the faculties collapsed, the universities were corrupted; when the Supreme Court gave way, the national culture was defiled. Now, of course, such language is routine on television and in motion pictures.

Pervasive vulgarity was guaranteed by *Miller v. California* (1973) which laid down the conditions under which a state could regulate obscenity. That test is a maze whose center cannot be reached. The most

damaging condition is that the work, taken as a whole, must lack serious literary, artistic, political, or scientific value. How can a jury find that *anything* lacks serious artistic value when museums, our cultural authorities on what is art, exhibit Robert Mapplethorpe's photograph of one man urinating in the mouth of another, a picture of the Virgin Mary spattered with dung, and jars of excrement as works of art? There will, in any event, always be a gaggle of professors eager to testify that the most blatant pornography is actually a profound parable about the horrors of capitalism or the oppressiveness of bourgeois culture.

The themes the Court had been developing reached a crescendo of sorts in *United States v. Playboy Entertainment Group, Inc.* (2000). The decision held unconstitutional a congressional statute that required cable television channels "primarily dedicated to sexually-oriented programming" to limit their transmission to hours when children are unlikely to be viewing. The Court majority found the law a restriction on the content of speech that was not justified because there appeared to be less restrictive methods of protecting children.

American law concerning freedom of speech . . . has been deformed by the almost irrebuttable presumption of unswerving rationality and freedom of individual choice embodied in Justice Oliver Wendell Holmes's foolish and dangerous metaphor of the marketplace of ideas.

The Justices, equating sex and speech, said, "Basic speech principles are at stake in this case." That is a peculiar view of fundamentals since *Playboy* advertised, as Justice Scalia pointed out in dissent, that its

channel depicted such things as "female masturbation/external," "girl/girl sex," and "oral sex/cunnilingus." Most of the speech in such entertainment probably consisted of simulated moans of ecstasy which the females are required to utter in order to excite viewers.

The legislation and the Court both focused on the danger that children would be exposed to erotic sounds or pictures. The Court's discussion centered upon the pleasures of adults. No weight was given to the interest of society in preserving some vestige of a moral tone. "Where the designed benefit of a content-based speech restriction is to shield the sensibilities of listeners, the general rule is that the right of expression prevails, even where no less restrictive alternative exists. We are expected to protect our own sensibilities 'simply by averting [our] eyes.'" Many of the people around us will not avert their eyes, and that fact will certainly produce a moral and aesthetic environment which it is impossible to ignore. We are forced to live in an increasingly ugly society.

Indeed, the Court majority refuted its own avert-your-eyes solution when it said: "It is through speech that our convictions and beliefs are influenced, expressed, and tested. It is through speech that we bring those beliefs to bear on Government and society. It is through speech that our personalities are formed and expressed." Try substituting "consuming pornography" or "watching female masturbation/external" for the word "speech" in that passage and see how persuasive it remains.

Apparently aware that this line of cases has been criticized, the majority opinion essays a rebuttal:

When a student first encounters our free speech jurisprudence, he or she might think it is influenced by the philosophy that one idea is as good as any other, and that in art and literature objective standards of style, taste, decorum, beauty, and esthetics are deemed by the Constitution to be inappropriate, indeed unattainable. Quite the opposite is true. The

Constitution no more enforces a relativistic philosophy or moral nihilism than it does any other point of view. The Constitution exists precisely so that opinions and judgments, including esthetic and moral judgments about art and literature, can be formed, tested, and expressed. What the Constitution says is that these judgments are for the individual to make, not for the Government to decree, even with the mandate or approval of a majority.

In a word, what the Constitution says, as interpreted by today's Court, is that one idea *is* as good as another so far as the law is concerned; only the omnipotent individual may judge. A majority may not enact its belief, apparently self-evidently wrong-headed, that the production and consumption of obscenity and pornography work social harms. That is a relativistic philosophy or moral nihilism, if anything is. And it is not the Constitution's philosophy; it is the Court's.

It is not too much to say that the suffocating vulgarity of popular culture is in large measure the work of the Court. The Court did not create vulgarity, but it defeated attempts of communities to contain and minimize vulgarity. Base instincts are always present in humans, but better instincts attempt, through law as well as moral disapproval, to suppress pornography, obscenity, and vulgarity. When the law is declared unfit to survive, not only are base instincts freed, they are also validated.

The triumph of the individual over the community advanced in a new direction in *Texas v. Johnson* (1989), a five-to-four decision invalidating federal law and the laws of forty-eight states prohibiting the physical desecration or defilement of the American flag. While chanting insults to the United States, Johnson burned the flag in public to show contempt for this country. He was not prosecuted for his words but only for the burning. Equating an expressive *act* with speech, itself an extremely dubious proposition, Justice Brennan said the government could not prohibit the expression of an idea on the grounds of offensiveness. Unifying

symbols are essential to an increasingly divided community, but the strain of individualism in its precedents left the Court majority unable to accept that fact.

The perversion of the First Amendment took the opposite tack when legislative majorities cut at the heart of the Speech Clause by diminishing and biasing political speech.

Buckley v. Valeo (1976) upheld portions of the Federal Election Campaign Act that severely limited individual contributions to political campaigns on the theory that large contributions may lead to the corruption of politics or may create a public impression of corruption. Had limits so severe then been in effect they would have made impossible Eugene McCarthy's primary challenge that led Lyndon Johnson not to run for re-election. Yet freedom of political speech is conceded to lie at the core of the Speech Clause.

Any hope that *Buckley* was an aberration that the appointment of new justices would cure was dashed by *Nixon v. Shrink Missouri Government PAC* (2000). Missouri law set limits on campaign contributions for state elections that were considerably more severe than the limits set by the federal law. The Court once more held that corruption or the possible appearance of corruption was an adequate ground to regulate contributions. Justice Stevens concurred, insisting on "one simple point. Money is property; it is not speech." A soapbox is also property, not speech, but the speech of an orator in Hyde Park would be much less effective without it. Television equipment, paid for by contributions, is also property, but speech could not reach a mass audience without it. Justice Breyer's concurrence, while conceding that money enables speech, argued that limiting the size of the largest contributions serves "to democratize the influence that money itself may bring to bear upon the electoral process." Real democratization would justify restrictions upon media commentary that is obviously one-sided in support of liberal candidates and policies. Had the speech been por-

nographic it would have gained greater protection. Those, including the President, who are counting on the Supreme Court to rescue the political process from the excesses of the new campaign finance law may be unpleasantly surprised.

The Court's deformation of the Speech Clause is outdone by its treatment of religion. Tocqueville saw that religion should be "considered as the first of [the Americans'] political institutions; for if it does not give them the taste for freedom, it singularly facilitates their use of it" because it "prevents them from conceiving everything and forbids them to dare everything." That was then. Now the restraints for which Tocqueville praised religion are seen as intolerable limitations on the individual will. The power of religion to prevent and forbid is greatly attenuated and no little part of that decline is due to the Supreme Court's endorsement of intellectual class secularism. This decline, in turn, bears directly upon the Court's interpretation of the freedom of speech, since in that area there is no longer much that cannot be conceived and dared.

The Establishment Clause has spawned a welter of cases, but it is necessary to examine only a few to see the themes that run through them. *Engel v. Vitale* (1962) was the first case dealing with a nondenominational prayer initiated by New York school officials. Officially sanctioned prayer had long been a feature of public schooling, but now the Court, perceiving a forbidden establishment of religion, started down a path leading to the official equality of religion and irreligion. In truth, irreligion seems the preferred constitutional value. A year later, *Abington School District v. Schempp* (1963) invalidated a Pennsylvania law requiring that the school day begin with a reading of verses from the Bible and student recitation of the Lord's Prayer. Although any student could be excused upon the written request of his parent, the Court said "the breach of [constitutional] neutrality that is today a trickling stream may all too soon become a raging torrent." That was extravagant hyperbole. In all of American constitutional

history, the trickling stream has never achieved the status of even a sluggish creek.

It is not too much to say that the suffocating vulgarity of popular culture is in large measure the work of the Court. The Court did not create vulgarity, but it defeated attempts of communities to contain and minimize vulgarity.

The Court said the state must maintain neutrality by "neither aiding nor opposing religion." The long-standing policy, dating back to George Washington's presidency and the first Congress, that the state should favor religion in general was ignored. Faith and atheism may seem now to stand on equal footing, but only faith is barred from official recognition. That may be appealing to many moderns, but it certainly was not the view of those who wrote, the Congress that proposed, and the states that ratified the First Amendment.

So drastic has the antagonism to religion become that *Wallace v. Jaffree* (1985) struck down an Alabama statute permitting one minute of silent prayer or meditation in public schools. No one would know whether a student was praying, meditating, or daydreaming. The difficulty, according to Justice Stevens, was that by adding the option of silent prayer, the state characterized prayer as a favored practice.

The Court's treatment of religion became even more draconian in *Lee v. Weisman* (1992) which held unconstitutional a rabbi's recitation of a nonsectarian prayer at a middle-school graduation ceremony. Justice Souter disparaged evidence that after adoption of the First Amendment the founding generation encouraged public support for religion, saying that such acts "prove only that public officials, no matter when they serve, can turn a blind eye to constitutional

principle.” That is an extraordinary dismissal of the evidence that the same Congress that proposed the no-establishment principle also hired chaplains for both Houses and the armed forces, and successfully called upon presidents to declare national days of thanksgiving to God. History is in fact quite clear that the founding generation thought the state could and should encourage religion. The prayer was harmful to plaintiff Deborah Weisman, the Court said, because public or peer pressure might cause her to stand or at least maintain a respectful silence during its reading. She could constitutionally be required to stand or remain silent during the reading of any other material—the Communist Manifesto, say, or Darwinian theory—so long as it had no hint of religious content. But then such philosophical trickles which have upon occasion become raging torrents are not religious, at least not in the conventional sense.

One of the most extreme examples of anti-religious animus was presented by *Board of Education of Kiryas Joel Village School District v. Grumet* (1994). The Satmar Hasidim, who practiced a strict form of Judaism, established a village that excluded all but Satmars. Their children were educated in private religious schools. Federal law entitled handicapped children “the deaf, mentally retarded, and those suffering from various physical, mental, or emotional disorders” to special education services, but a Supreme Court ruling forced them to attend public schools outside the village. Their parents withdrew the children because of “the panic, fear and trauma [the children] suffered in leaving their own community and being with people whose ways were so different.” The State of New York responded by constituting the village a separate school district to enable it to provide for itself the special services needed.

The Supreme Court, however, in an opinion by Justice Souter, found this to be a forbidden establishment of religion. Justice Stevens, joined by Blackmun and Kennedy, concurred, offering the advice that “the

State could have taken steps to alleviate the children’s fear by teaching their schoolmates to be tolerant and respectful of Satmar customs.” Teaching grade schoolers to be tolerant and respectful of handicapped, strangely dressed classmates who spoke Yiddish and practiced what the classmates would see as a weird religion would be a Sisyphean task at best. The Justices must have forgotten how cruel children can be to those they regard as even mildly eccentric.

“The isolation of these children,” the concurrence went on to say, “while it may protect them from ‘panic, fear and trauma,’ also unquestionably increased the likelihood that they would remain within the fold, faithful adherents of their parents’ religious faith.” Why families’ freedom to raise their children as they think best should be suspect and what relevance the observation had to the Establishment Clause went unexplained. The concurrence spoke for social atomization.

Justice Scalia, in a dissent joined by Chief Justice Rehnquist and Justice Thomas, wrote that the Grand Rebbe, who brought the Satmars from Europe to escape religious persecution, would be “astounded” to learn that the sect was so powerful as to have become an “establishment” of New York State, and the Founding Fathers would be “astounded” that the Establishment Clause was used to prohibit a characteristically American accommodation of the religious practices of a tiny minority sect. “I, however,” Scalia continued, “am not surprised. Once this Court has abandoned text and history as guides, nothing prevents it from calling religious toleration the establishment of religion.” (Actually, once text and history are jettisoned, nothing prevents the Court from doing anything it chooses with any part of the Constitution.) Souter inadvertently conceded the point by rebuking Scalia for “his inability to accept the fact that this Court has long held that the First Amendment reaches more than classic, eighteenth-century establishments.” Unfortunately for that riposte, the Establishment Clause is a product of the eighteenth century.

The same radical individualism determined the result in *Santa Fe Independent School District v. Doe* (2000). The school district authorized two student elections, one to decide whether invocations, messages, or statements should be delivered at home football games and a second to select a student to deliver them. The Court held the school district's policy a forbidden establishment of religion. Dislike of majority rule surfaced in Justice Stevens's opinion for the majority: "[T]his student election does nothing to protect minority views but rather places the students who hold such views at the mercy of the majority. School sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are nonadherents 'that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.'" Religious speech must have extraordinary political power. All of us have heard actual *political* speech with which we heartily disagreed without feeling any the less members of the political community. But where religion is concerned, even imaginary discomfort to a hypothetical individual overrides the reasonable desires of the community.

There is also the issue of feminism. *United States v. Virginia* (1996) held 7-1 that Virginia Military Institute, which is supported by the state, could not, under the Equal Protection Clause of the Fourteenth Amendment, remain an all-male school. The school was founded in 1839. The Fourteenth Amendment, designed to protect the newly freed slaves, was not ratified until 1868. Nobody at the time suggested that the Amendment banned single-sex education. In fact, it was not until 1971, over a hundred years later, that the Court first applied the Amendment to an irrational distinction between men and women. The ratifiers would have been aghast that a military school could not be all-male.

VMI featured strict discipline, hard physical performance, and an absolute lack of

privacy, something, in fact, very like Marine boot camp. The admission of women required modifications, as they have in every military college. VMI's distinctive character, it was pointed out, would be lost. The Court attached no weight to this prospect.

The Court's deformation of the Speech Clause is outdone by its treatment of religion. . . . The power of religion to prevent and forbid is greatly attenuated and no little part of that decline is due to the Supreme Court's endorsement of intellectual class secularism.

The Court insisted on the abstract equality of men and women in all things, undeterred by the historical meaning of the Equal Protection Clause, the value of well over a century of unquestioned excellence and tradition, and most certainly not by the heretical thought that there might be some areas of life suited to masculinity that feminism should not be permitted to destroy. Masculinity is a highly suspect idea in today's elite culture and it cannot, therefore, be expected to find lodgement in the Supreme Court's version of constitutional law.

There is no limit to what the Court can do with the Equal Protection Clause. As Justice Scalia said in dissent, the "current equal-protection jurisprudence . . . regards this Court as free to evaluate everything under the sun." That is exactly right. Every law makes a distinction between lawful and unlawful behavior. Every law, therefore, produces inequality because some conduct is allowed while other conduct is forbidden. The Court's equal protection jurisprudence thus allows scrutiny of all law to see if it meets the Justices' views of appropriate policy.

It might appear that the Court's theme of equality is contrary to the theme of eman-

cipated individualism, but that is a misunderstanding. Equality denies the right of the majority to impose standards that require some individuals to desist from activities they enjoy. When the clause is applied to erase such distinctions, the individual is liberated, even if we think he ought not to be. Emancipation of the will is then quite selective. One is reminded of the folks who deny the existence of any objective truth or moral standard even while fiercely imposing their truths on others. They are not in fact nihilists, since they clearly believe in something, even if it is only the protection of their own prerogatives. Equality can be a means of breaking down traditional authority so that a new morality may be imposed. Though equal rights authoritarians demand non-judgmentalism, they are very judgmental about traditionalists who oppose them. The emancipation of the individual will turns out to be about power.

The intelligentsia are not through with VMI. The college has a tradition of a “brief, nonsectarian, inclusive blessing” before the evening meal. The ACLU persuaded a district court to prohibit even that. VMI’s superintendent said, no doubt pensively, “Hearing a brief prayer before supper is no more the establishment of religion than the singing of ‘God Bless America.’” True, but he shouldn’t have given the ACLU any ideas for an additional lawsuit.

The Court’s intervention has also been disruptive in the matter of sexuality. Much of the Court’s activism is concerned with sexuality as the abortion cases *Roe v. Wade* (1973), *Planned Parenthood v. Casey* (1992), and *Stenberg v. Carhart* (2000) make clear. The chosen instrument in these cases was the Due Process Clause of the Fourteenth Amendment, which requires that no one be deprived of life, liberty, or property without due process of law. The language obviously requires only fair procedures in the application of substantive law. But in *Dred Scott v. Sanford*, a 1857 decision, Chief Justice Roger Taney transformed the identical Due Process Clause of the Fifth Amendment to

require that statutes have substantive meanings which judges approve. He and a majority of the Court did not approve of a federal statute which, quite arguably, would have freed a slave taken by his owner to territory where slavery was forbidden. Taney wrote that depriving a man of his property, regardless of procedural regularity, could hardly be called due process. “Substantive due process,” an oxymoron, was born.

Regardless of the shame in which it was conceived, and its internal contradiction, substantive due process has proved too valuable for judicial activism to be given up. In 1965, *Griswold v. Connecticut* gave birth to the Court-invented and undefined “right of privacy” which in turn spawned *Roe v. Wade*, a case which, without even a pretense of legal reasoning, announced a right to abortion. In an opinion of just over fifty-one pages, Justice Harry Blackmun surveyed such subjects as the view of abortion taken in the Persian Empire, the English common law, and by the American Medical Association, before announcing without further ado that the right of privacy was “broad enough” to cover a right to abortion. In *Planned Parenthood v. Casey*, the concurring opinion of three Justices, which created a majority to sustain a somewhat modified right to abortion, fashioned a right to “personal dignity and autonomy”: “At the heart of liberty”—runs the by-now famous “mystery passage”—“is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.” Though the liberty to be protected is left entirely unclear by this fog-bound rhetoric, the mood is certainly one of radical individualism. The three-justice opinion simply refuses to explain what it is talking about, just as *Roe v. Wade* did almost twenty years earlier.

Worse was to come. In *Stenberg v. Carhart*, the Court struck down a Nebraska statute banning partial birth abortions, a procedure in which a live baby is almost entirely removed from the mother, its skull pierced and its brain vacuumed out, before the carcass is taken from the birth canal. The

procedure is morally indistinguishable from infanticide, but the Court majority held that an exception for cases in which the mother's life was otherwise endangered was not sufficient; there must be an exception to preserve the mother's health. Though it is never true that the mother's health would be adversely affected unless a partial birth abortion were performed, the ruling means that such abortions cannot be banned at all. There will always be an abortionist willing to certify that the procedure is essential to health.

In view of the territory the Court has claimed, it is worth examining the title deed composed in the *Griswold* decision. At issue was an ancient and unenforced statute prohibiting the use of contraceptives. Justice William O. Douglas reasoned that various provisions of the Bill of Rights protected aspects of privacy. That being so, the emanations from such rights formed a penumbra from which a larger, unmentioned right of privacy could be deduced. That reasoning assumes that the framers and ratifiers of the Bill of Rights had a sense that there was a more encompassing right which they were unable to articulate and so had to settle for a list of specific guarantees. In this view, the Court must finish the drafting by discerning a meaning the founders could not. The word "hubris" comes to mind. Bogus as it was, Douglas's sleight of hand seemed harmless, but it became the rhetorical cover for the far more serious decisions that followed. It is on that bastardized version of constitutional reasoning that the entire edifice of so-called "reproductive rights" rests.

The radical individualism of the abortion cases has offshoots. In *Eisenstadt v. Baird* (1972), the Court moved beyond the rationale of *Griswold*, which purported to rest upon the marriage relationship, to decide that the same rationale must apply to the distribution of contraceptives to unmarried people. Justice William Brennan announced that "If the right of privacy means anything, it is the right of the *individual*, married or single, to be free from unwarranted governmental intrusion into matters so

fundamentally affecting a person as the decision whether to bear or beget a child."

The left wing has discovered an effective tactic of labeling any conventional jurist an ideologue with a right-wing agenda and hence "outside the mainstream."

It would be quibbling to point out that the right of privacy does not, in fact, mean anything, except what a majority of the Court wants it to mean on any given day. There was, of course, no explanation why the law in question was an "unwarranted" intrusion. The point to notice is that, once more, individualism triumphed over majority morality.

The Court's concern with sexuality has taken it into the subject of homosexual behavior. Justice Harry Blackmun's dissenting opinion in *Bowers v. Hardwick* (1986) is perhaps the leading example of judicial insistence upon an individualism so unconfined as to be useless for any practical purpose other than rhetorical bludgeoning. The majority upheld the constitutionality of making homosexual sodomy a criminal offense. Blackmun's dissent dismissed the relevance of prior cases that seemed to confine the claimed "right of privacy" to the protection of the family: "We protect those rights not because they contribute, in some direct and material way, to the general public welfare, but because they form so central a part of an individual's life." This casual dismissal of the family, heretofore considered the most important unit of society, was in keeping with the modern attitudes of the intellectual class. On Blackmun's reasoning, since the individual is all, no-fault divorce must be a constitutional right. But he immediately went on to make matters worse: "[T]he concept of privacy embodies 'the moral fact that a person belongs to himself and not others nor to society as a whole.'" In short, the individual

owes nothing to family, neighborhood, friends, nation, or anything outside his own skin, if that would interfere with his own pleasures. The four justices who signed the dissent cannot really have meant that, of course, but the fact that it could be written at all shows how far committed to individualism some of the justices have become.

Romer v. Evans (1996) took the next step and overruled *Bowers* without mentioning that case. By referendum the citizens of Colorado amended the state constitution to prevent localities from adding sexual orientation to the list of characteristics—race, sex, etc.—that were protected from private discrimination. The Court struck down the amendment on the theory that it treated homosexuals differently from other protected groups and thus violated the Equal Protection Clause. The rationale can best be described as incoherent. In order to gain legal immunity from private discrimination, homosexuals would have to seek it at the state level while the other groups would not. The fact is, of course, that all statewide or national laws require some groups to go beyond local government in order to change those laws. The Bill of Rights itself states principles that cannot be changed except by constitutional amendment. The most that can be made of *Romer* is that homosexuality is now a subject of special judicial solicitude. Individuals must be free to engage in homosexual behavior regardless of the community's moral standards.

A number of observers predict that within a few years the Court will announce that the principle of equality requires a constitutional right to same-sex marriage. If Jane is free to marry John, why doesn't equal protection require that Fred be equally able to marry John? Two state courts, of course, have already taken that step, to the intense displeasure of their citizens.

Since the Court is a central prize in the culture war, the fight to control it is political, engaging the White House and the Senate. There is, however, an equally important

arena consisting of academic lawyers and pressure groups. These are heavily on the side of the emancipationists or liberals. Their tactic is frequently to insist, contrary to obvious reality, that the Supreme Court is dominated by conservatives.

Harvard's Laurence Tribe, for example, calls the current Justices "the most activist in our history." He said that "the astonishing weakness and vulnerability of the majority opinion in *Bush v. Gore*, and of the majority opinions in a number of other democracy-denying decisions in whose mold it was cast, are functions in part of the uniquely narrow spectrum of views . . . covered by the membership of the current Court." It must come as a revelation to the Justices themselves to learn that Stevens and Souter advance almost the same views as Scalia and Thomas. Tribe describes the Court's makeup as "four justices distinctly on the right, two moderate conservatives, a conservative moderate, two moderates, and no liberals." Cass Sunstein of Chicago states that today's Court has no liberals, which can only be true if he defines liberals as extreme radicals. Yale's Bruce Ackerman urges the Senate not to confirm anyone nominated by George Bush.

It is only on the misunderstanding that the proper function of judges is to advance an ideological agenda that Abner Mikva, once a judge on the court on which I sat and later counsel to President Clinton, can urge the Senate not to confirm any Bush nominees to the Court because that might disturb the "delicate balance on the court on fundamental issues." That "delicate balance" means a Court that is predominantly liberal. In his next sentence, Mikva clarifies the balance he praises by noting, with obvious approval, that the Warren Court, which was heavily liberal, made fundamental changes by substantial majorities. Balance is desirable only when a Republican president might tip the Court in a neutral direction. When liberals say "balance" they mean a Court that will rewrite the Constitution to make it ever more liberal.

It is hard not to think such remarks disingenuous. The Court as a whole lists heavily to the cultural left. A “narrow spectrum of views” hardly describes a Court that though it splits on important cultural issues, almost invariably comes down on the liberal side and whose members regularly denounce one another in heated terms. Tribe himself rebuts his narrow-spectrum description by saying that “the recurring 5–4 majority on the Court on these matters has become a genuine threat to our system of government.” How close votes threaten our system of government is unspecified. That Tribe is committed to the judicial activism he decries is demonstrated by his four (at last count) attempts to find an acceptable rationale for *Roe v. Wade*. The problem is not that he fails—success is impossible—but that he will not stop trying. Abortion must be a constitutional right even if no one can explain why.

The interest groups of the Left proceed by systematic lying about judicial nominees who adopt the traditional approach of interpreting the Constitution according to its actual meaning. In opposing Judge Pickering, Ralph Neas of the hard-left People for the American Way said, “Achieving ideological domination of the federal judiciary is the top goal of right-wing activists inside and outside the Bush administration.” The left wing has discovered an effective tactic of labeling any conventional jurist an ideologue with a right-wing agenda and hence “outside the mainstream.”

There is far more diversity of opinion on the Court than is to be found on law school faculties. In the last three decades, as the students of the Sixties became professors, law scholarship has become increasingly left wing and intellectually disordered. Faculties are less and less engaged in scholarship that might conceivably be of use to practitioners and judges or to the reform of legal doctrine. As Harry Edwards, formerly chief judge of the Court of Appeals for the District of Columbia Circuit, put it, “there is a growing disjunction between legal education and the legal profession,” which is

reflected in the gradual replacement of older, traditional scholars by younger faculty whose work is often so theoretical as to be of little use outside the coterie of like-minded professors who engage in impractical discourse. The division, Edwards says, “is permeated by rancor, contempt and ill will.” The newer scholarship is politically motivated: “Many, although not all, of the legal theorists would like to bring about a radical transformation of society. In many cases, their work amounts to an attack on classical liberalism, which they would like to see replaced with a philosophical or political theory that will lead to a much more egalitarian society.”

Professor Edgar Hahn, a professor of jurisprudence at Case Western Reserve University, reports, “Reading hundreds of articles in researching a book on legal scholarship confirms that politically correct writing appears with increasing frequency.”

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In the university community, he writes, political correctness “is associated with language modification, oppression studies, race and gender victimization, rejection of the white male canon,” which it sees as a culture of “objectivity and rationality.” This began with the critical legal studies movement which attempted to deconstruct the intellectual foundations of existing law and traditional legal scholarship, without, however, indicating what might be substituted.

A liberal professor states that “critical legal studies is a political location for a group of people on the Left who share the project of supporting and extending the domain of the Left in the legal academy.” Hahn says that the advocates of political correctness now come from “Critical Race theorists, composed of Blacks and females, feminists, plus the remnants of the Critical Legal Studies movement.” Hahn continued: “One of the more esteemed techniques is the use of personal experiences to convey the emotion and agony of persevering in an alien environment of patriarchy, hierarchy, and objectification.” Thus some work of “scholars” consists of storytelling. Their narratives are published in law reviews and have been sufficient for the award of tenure. This intellectual collapse is now praised as “postmodern jurisprudence,” a term which itself ought to be an embarrassment to the legal academics involved.

There have emerged almost innumerable competing theories of how the Constitution should be “interpreted.” None of these has proved satisfactory to the competing theorists so that now we have reached a state of advanced nihilism in which articles and books are written on the impossibility of all normative theories of constitutional law or the “misguided quest for constitutional foundations.” Were these counsels of despair accurate, the only honest conclusion would be that since they cannot make sense of what they are doing, judges should abandon judicial review altogether. That conclusion is never drawn, however. Constitutional law is about power, and professors will never relinquish their bit of that power.

If the legal academy is hopeless, one might suppose that at least some Justices would by now have undertaken a justification for their habitual departures from any conceivable meaning of the Constitution they claim as their authority. But search as one may, the opinions of the Court are utterly devoid of any such attempt. The most the Court has ever offered is the statement that it has never felt its power confined by

the original understanding of the document. That much is certainly true, but it is hardly a justification. Persistent invasions of territory belonging to the people and their elected representatives cannot establish an easement across territory that the Constitution assigns to the democratic process.

It is not obvious what, if anything, can be done to bring the American judiciary back to legitimacy in a polity whose basic character is supposed to be democratic. It was once argued that a wayward Court would be corrected by professional criticism. The bar, however, is largely uninterested and academic constitutional commentary is largely intellectually corrupt.

Perhaps there is no remedy for judicial activism, perhaps a preference for immediate victories and short-term gratification of desires is characteristic of the spirit of our times. The public does seem ready to jettison long-term safeguards and the benefits of process for the short-term satisfaction of desires. That is always and everywhere the human temptation. But it is precisely that temptation that a constitution and its judicial spokesmen are supposed to protect us against. Constitutions speak for permanent values and judges are supposed to give those values voice. Instead, representatives of our judiciary are all too often, and increasingly, exemplars of disrespect for the rule of law. That situation is inconsistent with the survival of the culture that has for so long sustained American freedom and well-being. The example of lawless courts teaches a lesson of disrespect for process to all other actors in that system, the lesson that winning outside the rules is legitimate, and that political victory is the only virtue.

Born in Europe, central to the American founding, and fundamental to Western civilization, the ideal of the rule of law no longer commands much more than verbal allegiance. If prophecies of what the Court will do in fact is the meaning of law, then, in cultural matters the law may be predicted by the known personal inclinations of the Justices, nothing more pretentious. That is

not the rule of law; it is the rule of judges. It would have been unthinkable until recently that so many areas of our national life would be controlled by judges. What is today unthinkable may well become not only thinkable but also actual in the next half century.

The liberal mindset refuses to recognize that real institutions can never approximate their ideal institutions. The pursuit of the ideal necessarily proceeds by and teaches an abstract, universalistic style of reasoning and legal argument. It leads to an incessant harping on rights that impoverishes political, cultural, and legal discourse. Universalistic rhetoric teaches disrespect for the actual institutions of the nation. Those institutions slow change, allow compromise, tame absolutisms, and thus embody inconsistencies that are, on balance, wholesome. They work, in short, to do things, albeit democratically and therefore messily, that abstract generalizations about the just society bring into contempt.

A Court that in one context after another lays down general principles of emancipation commends that principle to public attention and imitation and thus affects legislative opinion. Many people assume that what is legal is also moral, and they are all too likely to believe that what has been declared unconstitutional is immoral. Resistance to judicial imperialism in the name of the Constitution itself comes to be seen as immoral.

Writing last year in *The Wall Street Journal*, Charles Murray reflected on Arnold Toynbee's thesis about the decline of civilizations. One reliable sign of decline, Toynbee suggested, was when elites began to imitate those at the bottom of society. In robust societies, those at the bottom tend to imitate "their betters"—a phrase whose departure from common usage betokens the degradation Toynbee prophesied. One does not have to look far to see the vulgarization of the elites in contemporary American society. There is no more elite institution in America than the Supreme Court of the United States. The sampling of cases dis-

cussed here suggests that the Court is ahead of the general public in approving, and to a degree enforcing, the vulgarization or proletarianization of our culture.

Yet it is precisely that for which the Court is most admired by the intelligentsia and in our law schools. The names of Warren, Douglas, and Brennan are enshrined in the liberal pantheon. Justices who performed their duties more faithfully are often less well-known or even almost entirely forgotten. The career of Chief Justice Morrison Waite is a case in point. Probably not one in twenty law professors and not one in a hundred lawyers even recognizes his name. Yet Professor Felix Frankfurter, in praising Waite, identified the characteristic judicial sin: "When dealing with such large conceptions as the rights and duties of property, judges lacking some governing directions are easily lost in the fog of abstraction." That may be even more true today as the Court multiplies vaguely defined rights.

Frankfurter said that Waite has become

a dim figure in constitutional history because his opinions are not delectable reading. . . . But the limited appeal of his opinions is due in part to something else—to the fulfillment of one of the greatest duties of a judge, the duty not to enlarge his authority. . . . The distinction between those who are makers of policy and those concerned solely with questions [of the Constitution's allocations] of ultimate power probably marks the deepest cleavage among the men who have sat on the Supreme Bench. . . . The conception of significant achievement on the Supreme Court has been too much identified with largeness of utterance, and too little governed by inquiry into the extent to which judges have fulfilled their professed role in the American constitutional system.

Unless it takes its law from the original understanding of the Constitution's principles, the Court will continue to be an adversary to democratic government and to the morality of our traditional culture.

G. C. Lichtenberg: a “spy on humanity”

by Roger Kimball

We may use Lichtenberg's writings as the most wonderful dowsing rod: wherever he makes a joke, there a problem lies hidden.

—Goethe

Lichtenberg digs deeper than anyone. . . . He speaks from the subterranean depths. Only he who himself digs deep hears him.

—Karl Kraus

[T]here are truths that are singularly shy and ticklish and cannot be caught except suddenly—that must be surprised or left alone.

—Nietzsche

In the exacting ledger of posterity, the aphorist Georg Christoph Lichtenberg rates high but is undeniably a specialty item. He is not a household name. He is something rarer: a name savored by household names. Goethe, who corresponded with Lichtenberg, admired him greatly (even though Lichtenberg disputed his theory of color). Arthur Schopenhauer, not someone addicted to dispensing praise glibly, reserved his highest compliment for Lichtenberg, declaring him to be a *Selbstdenker*, someone who genuinely thought for himself. Likewise, Nietzsche, whose powers of contempt often outshone his talent for appreciation, repeatedly cited Lichtenberg with agreement and respect. (Nietzsche might have had Lichtenberg in mind when, in *The Gay Science*, he defended his own method of handling philosophical prob-

lems: “I approach deep problems like cold baths: quickly into them and quickly out again. That one does not get to the depths that way, not deep enough, is the superstition of those afraid of the water.”) Kierkegaard, too, regularly cited or alluded to Lichtenberg, and in fact prefaced his book *Stages on Life's Way* with a version of one of Lichtenberg's most famous aphorisms: “Such works are mirrors: when an ape looks into them, no apostle looks out.” Wittgenstein, with his weakness for sudden enthusiasms, made Lichtenberg one of his causes, recommended him to various correspondents, and pressed copies of his work on friends, including Bertrand Russell. Lichtenberg's influence on Wittgenstein's work went deeper than mere content: the gnomic form of the *Tractatus* and *Philosophical Investigations* owes a great deal to the example of Lichtenberg's aphorisms. Scratch an important nineteenth- or twentieth-century thinker and the chances are good that you will find a warm word or two for the work of G. C. Lichtenberg.

Nevertheless, what Jacques Barzun said of the English essayist Walter Bagehot is also true of Lichtenberg: he is well known without being known well. A healthy slice of his most enduring work has been translated into English, but that was some years ago and—such is the fickleness of intellectual fashion—Lichtenberg's reputation has diminished into a name flanked by a handful of witty remarks:

He swallowed a lot of knowledge, but it seemed as if most of it had gone down the wrong way.

He who is enamored of himself will at least have the advantage of being inconvenienced by few rivals.

Not only did he not believe in ghosts, he wasn't even afraid of them.

A handful of soldiers is always better than a mouthful of arguments.

The fly that does not want to be swatted is safest if it sits on the fly-swatter.

There is a lot of gold in Lichtenberg. The casual negligence of presumed familiarity has assured that it remains buried for most American and English readers. We hear the name, remember an epigram or two, and leave it at that.

The republication of R. J. Hollingdale's translation of a selection of Lichtenberg's aphorisms¹ may serve as a welcome corrective. First published by Penguin in 1990, Hollingdale's translation of 1,085 aphorisms amounts to perhaps a quarter of the material that Lichtenberg collected in the nine volumes of his notebooks (two of which went missing in the nineteenth century, along with portions of two others). Lichtenberg began keeping his notebooks in his student days in the mid-1760s and he kept scribbling in them until a few days before his death, at fifty-seven, in 1799.

As Hollingdale observes in his introductory essay, these notebooks are not diaries. Lichtenberg did keep a diary—a voluminous one—where he recorded the itineraries of his domestic and social life. But the notebooks were something else, a general repository, an intellectual clearinghouse, “a Book wherein I write everything, as I see it or as my thoughts suggests it to me.” Lichtenberg's

notebooks are a sort of omnibus. As J. P. Stern put it in *Lichtenberg: A Doctrine of Scattered Occasions* (1959)—the best book in English on Lichtenberg—they consist of “jottings, extracts, calculations, quotations, autobiographical observations, platitudes, witticisms, drafts as well as polished aphorisms.” Lichtenberg considered publishing at least portions of his notebooks but never did. His feelings about their value seemed to vacillate with his moods, which themselves vacillated wildly. Sometimes he referred to their contents as *Pfennigs-Wahrheiten*—“penny-truths”—at other times he waxed grandiloquent: “I have scattered seeds of ideas on almost every page which, if they fall on the right soil, may grow into chapters and even whole dissertations.”

The first German edition of Lichtenberg's notebooks, published early in the nineteenth century, bore the title *Bemerkungen vermischten Inhalts* (“Remarks on Miscellaneous Subjects”). It was an accurate if understated title. Later editions have been known by the picturesque word that Lichtenberg himself occasionally employed: *Sudelbücher*, Lichtenberg's translation of the disused English term “Waste Books.” According to the OED, a “waste book” is “A rough account-book . . . in which entries are made of all transactions (purchases, sales, receipts, payments, etc.) at the time of their occurrence, to be ‘posted’ afterwards into the more formal books.” Substitute the words “thoughts, musings, observations, quotations, etc.” and you have the “waste book”—the rough draft—of the soul's economy that Lichtenberg produced. Hollingdale speaks in this context of the “variegated inconsequentiality” of the *Sudelbücher*. They have a little of everything, but what they present is not so much a system as a sensibility, a take on the world.

Lichtenberg did not think of himself as an aphorist. I am not sure that the word *Aphorismus* even appears in the *Sudelbücher*. By training, he was an academic and a man of science. He was born in Oberramstadt, near Darmstadt, in 1742, the youngest of seventeen children, five of whom survived

¹ *Georg Christoph Lichtenberg The Waste Books*; translated and with an introduction by R. J. Hollingdale. New York Review Books, 236 pages, \$12.95 (paper).

childhood. His father, who died when Lichtenberg was nine, was a prominent clergyman, part of the reformist Lutheran movement called Pietism, which stressed Bible-study and the ideal of simple Christian living. Lichtenberg tells us that he lost his Christian faith when he was sixteen, though he retained a somewhat amorphous belief in God inspired less by the Bible than by Leibniz's vision of a pre-established, divinely ordered harmony that suffuses the cosmos. Although popular with other children, Lichtenberg was a weak and sickly child. He suffered from a malformation of the spine, caused probably by tuberculosis, which resulted in his being a hunchback. Not surprisingly, this physical fact influenced his entire life and outlook. Still, Lichtenberg was not without a sense of humor about his condition. "My head," he explained, "lies at least a foot closer to my heart than is the case with other men: that is why I am so reasonable." Later he mused that "If Heaven should find it useful and necessary to produce a new edition of me and my life I would like to make a few not superfluous suggestions for this new edition chiefly concerning the design of the frontispiece and the way the work is laid out."

Lichtenberg's malady did not prevent his having many erotic attachments. Hollingdale describes his private life as "very irregular." Lichtenberg's executors destroyed the more intimate portions of his diaries, so posterity has been spared many details, but it is clear that he preferred his women simple and he preferred them young. In 1777 he met Maria Stechard, a poor weaver's daughter who was then twelve or thirteen. Lichtenberg employed her as a housekeeper, and she soon became his mistress. They lived together from 1780 until her early death in 1782. He was affected by her death, Hollingdale notes, "as by nothing before or afterwards." The relationship provided Lichtenberg's neighbors with something to gossip about, much to his chagrin. It also brought him much happiness. "She reconciled me," Lichtenberg sadly recalled, "to the human race." In 1784, Lichtenberg met

Margarete Kellner, a daughter of a white-washer, who was then in her early twenties. From 1786 they lived together and were married in 1789. Although the relationship was stormy, Margarete gave Lichtenberg seven children. She survived him by forty-nine years.

Life was not easy for Lichtenberg. One early critic described him as "the Columbus of hypochondria." The fact that not all his maladies were imaginary made his situation all the more painful. J. P. Stern speaks of the "indefinable mixture of illness and hypochondria, sloth and fits of depression, indolence and fear" that ruled intermittently over Lichtenberg's life. In one note, he bitterly announced his plan to write an autobiography called "The Story of My Mind, as well as of My Wretched Body."

Lichtenberg's career unfolded at the University of Göttingen, where he studied mathematics and science and, from 1770, held a succession of academic positions. He was an immensely popular teacher, one of the first to weave experiments into his lectures. Students came from far and wide not so much to study with as to witness, to "hear Lichtenberg." A man of prodigious but unfocused curiosity, Lichtenberg dabbled everywhere but persevered nowhere. In science, his primary interests were in astronomy and electricity. Some of his scholarly work in astronomy was recognized by later astronomers who named a lunar crater after him. In 1780, to the consternation of his neighbors, he erected the first lightning rod in Göttingen ("That sermons are preached in churches," Lichtenberg observed, "doesn't mean the churches don't need lightning rods.") In 1784, Alessandro Volta came to watch Lichtenberg's experiments with electricity. We still speak of "Lichtenberg figures," the star-shaped patterns formed in dust by certain electrical discharges. ("Lightning flowers" are Lichtenberg figures etched in the capillaries just beneath the skin when someone is hit by lightning.) Although he was elected to the Royal Society in 1788, Lichtenberg made no

important scientific discoveries. "A physical experiment which makes a bang," he noted, "is always worth more than a quiet one. Therefore a man cannot strongly enough ask of Heaven: if it wants to let him discover something, may it be something that makes a bang. It will resound into eternity." Much to his regret, Lichtenberg made no bangs in the world of science.

He did, however, generate an enthusiastic following. At the beginning of his teaching career, Lichtenberg tutored the sons of some English aristocrats. So popular was he that, in 1770, he was invited to England by his former pupils. It was the first of two visits. (The second, longer, one was from September 1774 until just before Christmas 1775.) It was love at first sight. Like the better sort of German then and later, Lichtenberg became a ferocious Anglophile. He moved in the highest social circles. He met Priestley, who performed experiments for him, and many other men of science. The King and Queen delighted in his company and in speaking German with him. (Göttingen, as it happened, was one of George III's Hanoverian dominions.) So conspicuous was the royal favor—the King caused great commotion by coming to Lichtenberg's lodging one morning at 10:00 AM and asking for "Herr Professor"—that a rumor briefly circulated that Lichtenberg was George II's illegitimate son. Lichtenberg became an avid theatergoer in London. He was mesmerized especially by Garrick's acting ("he appeared wholly present in the muscles of his body") and said that it was from Garrick that Germans could learn most about what the word "man" really means. Lichtenberg's other great discovery in London was the engravings of Hogarth (who had died in 1764). Beginning in 1794, Lichtenberg published a series of meticulously detailed "explanations" (Lichtenberg called it an *Ausführliche Erklärung*) of Hogarth's engravings. Not a belt-buckle or button, barely a speck of dust, is left uninventoried. Lichtenberg's English translator described that work, which remained incomplete at Lichten-

berg's death, as "a unique and sometimes bizarre excursion" into the textual recapitulation of the visual.

It is not surprising that Lichtenberg found in Hogarth a congenial spirit. Quite apart from their artistic merit, Hogarth's engravings are masterpieces of social observation. And it was to this above all that Lichtenberg devoted himself. "Chief employment of my life," he minuted in his diary in 1771, "to observe people's faces." One commentator described him as a "spy on humanity." It was almost literally true. Lichtenberg delighted in observing the street scene with a telescope from the eyrie of his window. "When an acquaintance goes by I often step back from my window, not so much to spare him the effort of acknowledging me as to spare myself the embarrassment of seeing that he has not done so." Lichtenberg was the faculty of *menschenbeobachterisch*—human observing—made flesh. The fruit of that passion was a collection of aphorisms united not by theme or tone but by a sensibility that was at once generous and disabused.

He who says he hates every kind of flattery, and says it in earnest, certainly does not yet know every kind of flattery.

If people should ever start to do only what is necessary millions would die of hunger.

Wine is accredited only with the misdeeds it induces: what is forgotten is the hundreds of good deeds of which it is also the cause. Wine excites to action: to good action in the good, to bad in the bad.

Lichtenberg once said that he would give part of his life to know what was the average barometric pressure in paradise. He never discovered that quantum, but in his aphorisms we have an extraordinary register of the barometric pressure of the human heart.

As a literary form, aphorisms have the liability of their strength. Aphorisms are insights shorn of supporting ratiocination. Sometimes they are arrived at in an instant, in a sudden illumination; sometimes, as

Lichtenberg's draftings and redraftings of the same phrase or idea reveals, they are arrived at through a process of intellectual and rhetorical honing. Bertrand Russell reports that when he told Wittgenstein that he should not simply *state* what he thought was true but should provide arguments, Wittgenstein replied that arguments spoil the beauty of insights and that "he would feel as if he was dirtying a flower with muddy hands." Just so, aphorisms are the blossoms of thought. They may depend on stalk and soil, but their beauty is independent of those prerequisites.

Whether arrived at instantly or through patient refinement, the defining characteristic of the successful aphorism is what we might call its *suddenness*. Some good aphorisms are obvious truths stated neatly. "You can make a good living from soothsaying [*vom Wahrsagen*] but not from truthsaying [*vom Wahrheit-sagen*]." The best are truths that only seem obvious after they have been stated neatly. (They inspire the thought: "Now why didn't I think of that?") Many aphorisms have an enigmatic or double-sided character: they cut both ways and depend upon some essential ambiguity or equivocation for their power, their poetry. Whether they are *true* often seems secondary or beside the point: they are piquant, they *feel* revelatory and thought-provoking, and that is enough. "The roof tile," Lichtenberg says, "may know many things the chimney doesn't know." I would hate to part with that mot. But is it true? It would take an intrepid man to say.

Many people discount aphorisms, partly because so many are ambiguous, partly because they are episodic, isolated, and compressed. They seem too pat to be pertinent. Those traits can be liabilities, depending on the subject at hand. One would be ill-advised, for example, to trust a manual for bridge-builders or heart surgeons that was composed of aphorisms. But in other contexts the very characteristics that rob aphorisms of discursive strength endow them with other sorts of intellectual power.

Nietzsche was quite right to defend the aphorism against its detractors. ("It is aphorisms!" he wrote with mock contempt. "Is it aphorisms?—May those who would reproach me thus reconsider and then ask pardon of themselves.")

But Nietzsche was also right that the aphorism, though it can reach deep, must do so quickly. A ponderous aphorism is a failed aphorism. It follows that, considered as intellectual nourishment, aphorisms are best taken sparingly; their very concentration makes them hard to digest *en masse*. Like an electric flash on a camera, they require time between discharges if they are to be fully illuminating. When Lichtenberg says that "The most dangerous untruths are truths slightly distorted," we nod in agreement. He has encapsulated an entire theory of heresy in a handful of words. When he goes on to say in another aphorism that "With most people disbelief in a thing is founded on a blind belief in something else," we nod again. Here we have the mechanics of some forms of atheism in a nutshell. When we read further that "This was the handle by which you had to grip him if you wanted to pour him out; if you gripped him anywhere else you burned your fingers," we may nod again—here is an astute observation about a familiar character type. But how many more such nuggets can we take on board at a sitting? My own recommendation is that aphorisms be taken in doses of no more than a few pages a day. Any more, and the mind begins skipping.

Often, the appeal of an aphorism is a function of its cynical knowingness: "If I should ever produce an edition of his life," Lichtenberg wrote of we know not whom, "go straight to the index and look up the words *bottle* and *conceit*: they will contain the most important facts about him." We all know people like that, just as we know what Lichtenberg means when he observes that "Sometimes men come by the name of genius in the same way that certain insects come by the name of centipede; not because they have a hundred feet, but because most people cannot count above fourteen."

Still, the element of cynicism can be overdone. "What is called an acute knowledge of human nature," Lichtenberg writes, "is mostly nothing but the observer's own weaknesses reflected back from others." Well, sometimes, perhaps. But sometimes an acute knowledge of human nature is just that: an acute knowledge of human nature. "What they call 'heart,'" Lichtenberg tells us, "lies much lower than the fourth waistcoat-button." Well, yes, there is such a thing as sex. But is "heart," is romance, to be entirely explained as a cover or front for sex? Freud thought so. Maybe Lichtenberg did, too. Were they right?

Having a low opinion of human nature may not be a prerequisite for being a good aphorist. But it helps. (It also, *nota bene*, aids in one's appreciation of aphorisms.) Chamfort, Pascal, Gracián, Vauvenargues, La Rochefoucauld: none of these master aphorists was burdened by an overly sunny view of humanity, though each was gloomy in his own way. Pascal's observation that all a man's troubles begin when he leaves his room is of quite a different character from La Rochefoucauld's thought that "In the misfortunes of our best friends we always find something that does not displease us." But both proceed from the assumption that things are always worse than they seem.

The cynical nature of many aphorisms is one reason the genre is so popular. Many people, especially many intellectuals—the most ardent customers for the aphorism—pride themselves above all on their disillusionment. They see themselves "seeing through" manners, pretensions, morals, whatever, and what they see is seldom edifying. (As a class, intellectuals are rarely—to use Wordsworth's phrase—"surprised by joy.") Aphorists are by profession debunkers. That is a large part of their power. It also points to a limitation. Untempered by elements of affirmation, debunking generates its own species of bunk. Take the aphorism by La Rochefoucauld quoted above. It is one of his most famous, and was well-known already in Lichtenberg's day. Lichtenberg himself thought well of it,

noting that "It sounds peculiar, but he who denies the truth of it either doesn't understand it or does not know himself." But mightn't it also be that it sounds peculiar because it *is* peculiar, and that the misfortunes of our best friends generally stir pity, empathy, and compassion?

Many of Lichtenberg's aphorisms are more ruminative than scarifying. "There is a great difference," he observes, "between *still* believing something and *again* believing it." Anyone who has reflected on the seasons of faith will know what Lichtenberg means. Some of his aphorisms have pointed relevance to the contemporary cultural scene: "It requires no especially great talent to write in such a way that another will be very hard put to understand what you have written." Others, alas, have been overtaken by events: "It is easy to construct a landscape out of a mass of disorderly lines, but disorderly sounds cannot be made into music." Lichtenberg was especially acute on the follies that intellectual life falls prey to. "Nowadays," he notes, "we everywhere seek to propagate wisdom: who knows whether in a couple of centuries there may not exist universities for restoring the old ignorance." And again: "There are very many people who read simply to prevent themselves from thinking." Do Lichtenberg's aphorisms add up to a coherent philosophy? I doubt it. J. P. Stern suggests that Lichtenberg promulgated a doctrine of "scattered occasions" (the phrase is Bacon's), a sort of "inverted Categorical Imperative" that invests the moment, not the moral maxim, with absolute value. Perhaps. But that is simply to elevate the absence of doctrine into a doctrine. Lichtenberg's acts of espionage on mankind were unsystematic even about being unsystematic. They were raids on the interesting, conducted as time, mood, and inspiration permitted. There is no unifying thread, though there are recurrent themes. One familiar theme is part description, part admonition: "It is almost impossible to bear the torch of truth through a crowd without singeing somebody's beard." If you bear the torch, Lichtenberg seems to say, be wary.

Hayek's prophetic scepticism

by Kenneth Minogue

"People are fully alive to the superstition in priests," Lord Salisbury once remarked. "In time they will find out that professors may be just as bad." Salisbury was a Conservative prime minister of Britain in the late nineteenth century, and his scepticism was to be sorely missed during the twentieth century, when religious superstition in the West gave way to the academic and political kind. And it is with a notable example of such folly that Alan Ebenstein introduces his new biography of F. A. Hayek, the economist and social philosopher who won the Nobel Prize in 1974.¹ The Soviet Union, wrote Paul Samuelson of Harvard, also a Nobel Prize winner, "is proof that contrary to what many skeptics had earlier believed, a socialist command economy can function and even thrive." "Proof" is not a word economists should use lightly, but the sentence still features in his textbook in 1989, during a decade in which the Soviet system was collapsing, and no less than 364 academic economists in Britain joined together in a letter to *The Times* to tell Margaret Thatcher, wrongly as it turned out, that her economic policies could not work. The moral to be learned from this example is that if you see a herd of academics advancing on you with proof of something, run for your lives. And preferably, don't argue. The casuistry won't be worth the candle.

¹ *Friedrich Hayek: A Biography*, by Alan Ebenstein; St. Martin's Press, 320 pages, \$29.95.

A talent for undermining common academic superstitions certainly marked Hayek, who spent his life in universities but became an international celebrity. He is that unusual thing: a sceptic who became a prophet. In a world full of people convinced that handing control of many departments of human life over to experts would make a better society, Hayek revived and developed the sceptical side of eighteenth-century social theory. Drawing upon Austrian economic theory, he was able to demonstrate a rare general truth about public policy: running economies by central command is the high road to impoverishment. This sceptical truth made him the prophet of a liberal social order. But his essence was combat, and the best place to begin understanding him is with the illusion he spent his life combating.

The illusion consisted in the belief that after millennia of blundering, mankind had at last progressed to the point when it could take its destiny into its own hands. The problem in the past had been the lack of knowledge and of a unified will to use it. Such a belief assumed that "mankind" could become a single agent, a will that could adequately act for the benefit of us all. In the mild form of evolutionary socialism, democratically elected governments might set themselves up as the agents of this coming perfection, but the idea often acquired sharp teeth and abrasive claws. Revolutionary vanguards of various kinds could declare

that *they* stood for mankind, seize power in unstable states, and embark upon murderous projects of social engineering. Lenin was the first successful exponent of this politico-religious enthusiasm, but salvation could also take racial or nationalist forms, as with Hitler and Mussolini.

In an important sense, these figures were all socialists (Mussolini, for example, learned his politics as a socialist agitator), and only the theories generated by the tactical situation of German communists facing a more successful collectivist competitor in the 1930s have locked us into thinking there is an essential difference between "left" and "right" totalitarianisms. Hayek certainly thought they were all birds of a feather, and I have no doubt he was right. But his main focus was on the economic essence of this phenomenon: central economic planning. His career as a prophet was to emerge from his early concerns as a professional economist.

The illusion is, then, that the blundering indirections of history out of which science, industry, and the wonders of modern civilization had come were about to be superseded by a new era of progressive justice guided by those who had the correct understanding of history. I am inclined to call this view "the Bolshevik illusion" in testimony to its triumph in 1917. The fact that the Bolsheviks subjected the Soviet peoples to an incompetent modernizing program that left them, three generations on, hopelessly behind the free societies of the West makes it pretty clear that whatever may be the truths of human progress (if there are any), these truths are certainly not to be found in grand abstract systems such as Marxism. Despotic elites have been remarkably consistent in their record of failure, irrespective of culture or level of economic development. But Hayek believed, and again rightly, that the roots of this illusion lay so deep in Western civilization that the defeat of its grosser and dimmer versions (usually in societies remote from Western politics) did not at all mean that illusion had given way to reality. Hayek

himself described socialism in his last book as "the fatal conceit." It's a nice image, but it exhibits a weakness: he had to run together the account of an idea with a view of the motives for taking it up—as when, to take an example that will concern us later, he identified conservatism with the psychological characteristic of timidity. In fact, of course, there is no necessary connection between any idea and the psychology of its believers.

Where did this remarkable illusion come from? It derived most immediately from a reading (and in my view a misreading) of Hegel, but Hayek himself traced it back to Descartes, a piece of intellectual genealogy which links Hayek to Michael Oakeshott, with whose philosophy the Hayekian corpus forms an interesting contrast. Writing in Part II of the *Discourse on Method* (1637), Descartes had observed that "there is seldom so much perfection in works composed of many separate parts upon which different hands had been employed, as in those completed by a single master." We all know, of course, that a camel is a horse designed by a committee, but Descartes's examples show that he was thinking in less general terms of buildings and cities, and he goes on to admire large towns "which a professional architect has freely planned on an open plain." What is to be admired is "human will guided by reason."

In Descartes, these more or less harmless remarks do indeed breathe the spirit of rationalism, but imported into a later context, and under the almost insane scrutiny of contemporary hermeneutics, they become very sinister indeed: almost a licence for benevolent dictatorship. For what else is revolutionary socialism but the flattening of society into a level plain and the construction, by the mind of a single political will, of a perfect city? The dream goes back to Plato, and Hayek believed that it lived on in the lust for power exhibited by a regulating state.

The dream of centrally directing a society first surfaced unmistakably in the bene-

volent despots of the eighteenth century, and the materials for exercising such power—bureaucracies, police forces, identity cards, a literate population, effective taxation, regulatory authority, and even perhaps democratic assemblies—have expanded continuously since that time. And opposition to that dream has also been pretty lively over the same period. Hayek thought that an early pioneer was Bernard de Mandeville, whose *Fable of the Bees* was (in two rollicking volumes) both a send-up of Christian ideas of virtue and the beginning of the idea of evolution. T. S. Eliot in *Murder in the Cathedral* formulated one idea of moral perfection in the couplet

The last temptation is the worst treason
To do the right thing for the wrong reason.

This might be a principle appropriate to a saint such as Thomas à Becket, but on Mandeville's view a modern society only worked because people did the right thing for very bad reasons indeed. They were lazy, pleasure-loving, and deceitful consumers, and it was their vices (even the vices of the criminal classes) and not their virtues that kept rulers, lawyers, prostitutes, bureaucrats, milliners, policemen, soldiers, and the entire luxury trade from suffering the pains of unemployment. Mandeville, a Dutch doctor who had migrated to London, became a pretty disreputable (though highly influential) source of ideas, but a generation after his death Adam Smith was turning satire into a remarkable theory of economic interrelationships which "by an invisible hand" led to the prosperity of modern commercial states. It is common to recognize *The Wealth of Nations* as the beginning of the idea of modern societies as also economies, which is to say associations of individuals living by exchanging goods and services. Anyone who wants to see Smith's basic idea of the division of labor at work need only sit through the endless credits for current movies. The modern world emerges as a state composed of people living in layered ranks giving way to an association

of individuals busily seeking to better themselves. The dynamism of a modern society results from the changing decisions of very many individuals, each responding to his or her situation in terms of a self-interest operating within legal and moral rules. And self-interest must not, of course, be confused with greed or selfishness, which are universal faults of human beings and not the mere products of some arrangements over others.

But how can a set of competing individuals live harmoniously together? That they cannot is the inspiration of socialists, who point to inequality as a source of disharmony and to the continuous stream of crises which characterize modern states. The crisis is, in fact, the career grade of this mode of life. It satisfies our passion for novelty and excitement. The odd fact is that commercial societies are remarkably peaceable and orderly. Smith talks of an "invisible hand" harmonizing these various endeavors, but many other writers were struck by the same insight, which is also the idea from which Hayek emerges. Montesquieu explored it in terms of honor; Hegel incorporated "the cunning of reason" in his philosophy of history. Individuals and groups acting for their own limited and usually self-interested purposes broke the mold that had constricted earlier civilizations. They created new social possibilities which were no part of their original intention. This was what Europeans, and especially English-speaking Europeans, understood as freedom, and it was the necessary condition for the industrial revolution, as ingenious projectors, sitting on top of coal and other sources of energy, found ever cheaper ways of making ever more elaborate products. It is also this basic idea which has led to the emergence of history in its modern academic form.

This is the liberal political order, and F. A. Hayek has been supremely its twentieth-century prophet. Eberstein presents his life in forty-one brisk and lucid chapters. Friedrich von Hayek (he was in time to

drop the title) was born into a prosperous middle-class academic family in Vienna in 1901. He fought in the Austrian army in the First World War. In 1917 he was to be found on the wing of an observation plane, working as an artillery spotter on the Italian front. It was a dangerous business about which he later remarked that he simply had no fear in these situations. Back in defeated Vienna in 1918, he began to study economics and fell in with Ludwig von Mises and other members of the Austrian school of economics.

In 1923, he went to America for a year as a graduate student, but he had little money and made little impact. It was only in the later 1920s that his work on capital attracted wider attention. He was invited by Lionel Robbins to give seminars at the London School of Economics, and in 1931 he moved there permanently. During the 1930s he was one of the stars of the place, and became the *laissez-faire* counterpart in London of the other towering economist of the time, John Maynard Keynes, a charming and brilliant polymath who dominated the subject in Cambridge. The two men disagreed strongly about trade cycles, with Keynes arguing that the violent ups and downs of the trade cycle could be mitigated by government-demand management.

The issue between them is forbiddingly technical, but Keynes's view has been popularized (by Robert Skidelsky) as "[w]henver you save five shillings you put a man out of work for a day." Hayek, by contrast, wrote that "I never believed or came to believe that there is a simple function between aggregate [demand] and employment." Keynes thought economies went into depression when demand fell, whereas Hayek thought that the cause was a mismatch between production and investment in capital goods. It followed that merely adding to demand might well impede the process of adjustment necessary to correct the overinvestment in the wrong kind of capital that was causing the crisis.

During the war, Hayek, although now a

British citizen, was not employed in war work. LSE retreated to Peterhouse in Cambridge which Hayek found a congenial place to work in. But already he was evolving from economist to prophet, and early in 1944 he issued a popular and polemical work expressing his fears that Western liberal democracies were in danger of going down the road of central direction of the economy. Both practical necessity and the current ideas among the elite pointed in this direction. *The Road to Serfdom* was an immediate success, first in Britain and then in America. After the war, Hayek went on a lecture tour around the United States, and a condensed version of the work was published in *Reader's Digest*.

The Road to Serfdom was a warning about the dire effects of the then most powerful version of the Bolshevik illusion. Here an economy was understood to be simply a productive machine which was subject to fits and starts and needed merely to be finely tuned and intelligently driven to produce what "we" judge to be a socially just distribution of modern prosperity. If, went the common view of the time, governments could mobilize the resources of society for an objective such as victory, then surely they could also "win the peace" by putting the injustices and crises of the past behind them. Hayek was clear that these people were sorcerer's apprentices or charlatans, but he was up against the most powerful source of error in politics—misplaced analogy: peace was like war, and economies were machines to be managed better. Worse, the post-war economic situation seemed to confirm not Hayek but his critics.

The profound idea with which he contested these illusions was that an economy was not a machine to be driven, but rather a complex interaction between agents (both individual and corporate) in which prices of all kinds (including opportunity costs) acted as signals allowing these agents to respond rationally to changes in taste, technology, availability, and other relevant considera-

tions. Prosperity resulted from economic agents being able, both as producers and consumers, to respond to these reflections of reality. The essential point about the information conveyed by prices was that it was dispersed. No government or planning authority could know more than a fraction of what it contained. Central direction was, then, not merely the rule of ignorance, but of an ignorance whose every interference would obscure the real features of social and economic life. Planners often spoke of a "planned economy," but in fact these policies amounted to the substitution of administration for the free interaction of producers and consumers. Rationing for a time might replace a pricing system, but this was not merely inefficient. It would also destroy freedom by transferring power from people to governments. Hence you could no more have a little bit of central direction than you could be a little bit pregnant.

The great debate of the post-war period cast planners against liberals, though the liberals, especially in America, were absorbing significant tendencies towards socialism without changing their name. In time, classical liberals had to change *their* name to "libertarians" in order to avoid confusion. But as abstract sentimentality became more prominent in the political rhetoric of Western states, "libertarians" had to combat the idea that they were heartless.

A significant topic of the planners, as they got to work turning Britain into a welfare state, was to charge the Hayekians with lack of compassion for the poor. This talk of freedom is all very well, they said, but what of the irrationalities of modern capitalism which doomed many to poverty and unemployment, especially in periods of depression. In these emotional terms, Hayek and his supporters were not only wrong but bad. The central issue took two forms.

The first was the socialist argument that capitalist production was irrational. In cities, half a dozen gas stations would fiercely compete, while the needs of the countryside would go unheeded. Prices

reflect scarcity but pay no attention to need. And surely "the commanding heights of the economy" should benefit the people rather than increase the profits of investors. Capitalism as a blind groping of entrepreneurs ought to be replaced by rational planning, which could only be done by governments.

At their most moronic, these arguments (still vibrant in the activism of anti-globalists) came down to the slogan "people before profits." The power of these arguments resides in their short-term effectiveness. Governments can indeed wave a wand and fix prices and profits. The consequent distortions of economic life take time to surface. The idea that capitalism is dynamic because it is self-correcting looked unimpressive to people who had lived through a decade of depression and then experienced the exhilaration of a centrally directed victory in war. Hayek's argument that governments are not only blind but also sclerotic only became convincing when the rising costs and declining benefits of public welfare became evident several decades later. As Hayek was later to write: The limits of knowledge determine the limits of government. The Hayekian view is sometimes described, or rather sneered at, as "faith in the market," but this is to understate the crucial element of scepticism in his opinions. He did not think for a moment that markets were a perfect solution. But he was swimming against a rising tide.

The second issue invoking governmental control of the economy was that of inequality, or, as it is more commonly put these days, the gap between rich and poor. It is not easy here to clarify the levels of confusion in popular opinion on this issue. We rightly say that in Western liberal societies, each citizen is "equal before the law," provided we remember that the concept of equality is a metaphor, most at home in mathematics and measurement, and therefore an unsuitable device for characterizing the complex relations between human beings. But popular slogans about equality have become a powerful political

weapon. They are an easy way to rouse politically useful resentments and they conduce to the project, which is locked into the Bolshevik illusion, of imposing a single way of life upon the whole of modern society. Such a homogenization of modern societies finds its plausibility in deriding the luxury and excess of the rich and affirming the moral doctrine that the point of a human life is to enjoy having one's needs satisfied. Governments rather than individuals would have to determine needs, and individuals disposing of private resources of their own would have to be abolished lest the dreaded inequality should reappear.

Hayek's idea of the road to serfdom is thus in part a refutation of the idea that modern societies could combine freedom with equality. As Ebenstein observes, Hayek argued that you can't have productivity if you impose equality on people. Ebenstein quotes a remark Hayek made in an interview in later life: "we will have to recognize that only a system where we tolerate grossly unjust difference of reward is capable of keeping the present population of the world in existence." The progress made by the rich few will in time "trickle down" (as it was later put) to others.

Today many would contest this on the ground that wealth doesn't actually trickle down to the poor in Africa and some Asian countries. The best explanation of this fact is that the equalizing effect of modern life, limited as it may be, results from features of Western life which may well be far from obvious. But some of these features are pretty clear. The absence of gross corruption would be one. Another, often suggested, is democracy, but democracy in its turn depends upon the implicit rules and conventions that Hayek came in later life to think such an important part of Western progress. In any case, there are certainly limits to how far down the income scale the benefits of productive advances can reach even in Western societies. For a great variety of familiar reasons, many people are poor, some from incompetence, some from mis-

fortune. Hence there is always a case for *providing* welfare for such people, and Hayek was not averse to such policies. But in the background of this discussion lay a deeper question which brings us to the moral issue in Hayek's work.

The cause of economic progress, on his view, is the freedom of competing entrepreneurs to take risky decisions about where profits are to be made. His socialist opponents, by contrast, thought that the ultimate outcome of modern progress must be societies marked by universal co-operation. In such a community, well distributed benefits would reduce violence and hostility to the vanishing point. Competition is bad because it means that some people will lose out, and losers are not only the victims of oppression but also the materials of disunity. Competition is thus, in pure socialist doctrine, exactly the moral condition which causes the evils that socialists seek to overcome.

This issue does seem to be a major crux in Western experience. It currently recurs in the popular movement against globalization and in the widespread attractions of internationalism, which favors centralizing the distribution of power (and thus of wealth) so that all peoples will be able to have a decent life, as a decent life would be understood at the moment of proposing the idea by a reasonably austere bourgeois in Britain or America.

I am inclined to say briskly that this project takes utopianism to the edge of lunacy, but it is significant because the popularity of the idea points a dagger at the heart of liberal civilization. If competition is indeed (as Hayek argues) absolutely central to the progress of European life, and if competition causes (to use a familiar formula) the alienation of man from man, then we have taken a wrong turn, and our civilization must go. That is what a great deal of the intellectual self-hatred of half-educated Westerners amounts to. But of course "we" cannot destroy a civilization and build a new one, and hence these passions tend to explode in millennial forms of hysteria.

Hayek knew perfectly well that most such salvationist opinion is worthless, and he characterized the ambitions underlying them as “constructive rationalism.” In his evolutionary moods, he argued that aiming to *make* the world conform to our ideas of justice is a survival of instincts appropriate to the tribal societies from which we had long ago emerged. Only the piecemeal supersession of these instincts had allowed a liberal order to emerge. This is perhaps a rather dodgy bit of conjectural history, but it helps us to understand two features of the Hayekian program. First, that Hayek was happy to identify himself in terms of the fundamental party-political spectrum of socialism-liberalism-conservatism. Second, that an element of radicalism in Hayek himself is not altogether easy to distinguish from the kind of social engineering which he strongly deplored.

Hayek's rejection of socialism was central to his whole career, but every so often he turns aside to cuff conservatism as well. This has not saved him from being himself accused of covert conservative tendencies. But what he certainly does is distance himself from a conservatism that he characteristically understands in psychological terms as a form of timidity. Self-ascribed boldness and courage is, of course, a familiar boast of intellectuals, but Hayek hardly needed to employ it. He actually was pretty courageous. As it happens, most conservatives in recent decades have taken the Hayekian lessons on board, but one significant critic has been Michael Oakeshott.

Oakeshott had, back in 1947, remarked somewhat waspishly about *The Road to Serfdom* that “a plan to end all planning may be better than its opposite, but it belongs to the same style of politics.” Oakeshott's point was that a rationalist disposition had sucked most of the concrete understanding out of politics and replaced it with doctrines, abstractions that “abridged” the complexities of national political traditions and thus weakened their resourcefulness. Oakeshott's argument at this time turned out to be a kind of zen provocation, since many of his

readers proved his point by immediately wanting to be told what to do about it—demanding, that is to say, a doctrine. Hayek certainly found Oakeshott's thought valuable, and in the 1960s he gave a lecture at LSE using Oakeshott's distinction between “telocratic” and “nomocratic” views of the ends of government, a distinction to which he referred again in the second volume of *Law, Legislation and Liberty*. Hayek and Oakeshott often agreed in practice, and respected each other, but there was a major difference in tone and philosophical level.

Oakeshott argued that it is logically impossible to “apply” an abstract theory to the contingent world of politics. Abstractions, as the current joke has it, go “pear-shaped” as they encounter the contingencies of life, which is why, for example, bequeathing democracy or liberal constitutional systems to countries unaccustomed to their practice very soon leads to disappointment. All that a politician *can* do is pursue what Oakeshott called the “intimations” of a concrete political situation. The problem even with uttering this opinion is that it generally gets turned into the prescription that pursuing intimations is what politicians *ought* to do. The point at issue here is, no doubt, somewhat refined, but it is essential in helping us realize that Hayek was indeed not a conservative.

Hayek thought (as he remarks in *The Fatal Conceit*) that “life has no purpose but itself,” but he certainly saw modern Western societies as having a purpose: that of maximizing freedom and prosperity. These societies had succeeded in liberating themselves from many of the beliefs that had sustained tribes, but there remained constructive work to be done, and it was in advancing plans for institutional reform of this kind that Hayek exhibited the radicalism which made him a libertarian prophet. He wanted to liberate money from the grip of central banks and entrench the rule of law in democratic constitutions. The value of these castles in the air was not that he quite

thought they could be applied, but that they would be instructive to those less far along the path from tribal life. Few countries, he observed in volume three of *Law, Legislation and Liberty*, "are in the fortunate position of possessing a strong constitutional tradition. Indeed, outside the English-speaking world probably only the smaller countries of Northern Europe and Switzerland have such traditions."

How might we formulate the difference between Hayek and Oakeshott? Let me suggest that it might be done in terms of levels of scepticism. At the least sceptical level, the socialist actually *believes* that revolutionary upheaval, or some plan of social engineering, can save the world. The twentieth century was full of such moths who found the flames of abstraction irresistible, and many perished as a result. We are far from having done away with their successors. Against this kind of thing, Hayek's sceptical account of an economy as a "discovery procedure" was an exhilarating illumination of what socialist melodramas of oppression had obscured. A society whose power was dispersed among all its individuals was the epitome of freedom. It was also, as Hayek perhaps at times over-emphasized, the epitome of prosperity. At the level of proposals to engineer society so as to remove the disharmonies of inequality, Hayek's scepticism was in good working order. It was not, however, a scepticism about abstract proposals in general, and it was on this point that the Oakeshott-Hayek disagreement emerged. Oakeshott's scepticism is a philosophical distancing from any form of human folly. He interprets the Hobbesian account of Christianity in particular as dealing (as he puts it) with "the local and transitory mischief in which the

universal predicament of mankind appeared" in his time. Hayek is too close to the mischief to recognize the universal predicament.

Hayek sought, then, as Ebenstein makes clear, great changes in the institutions of society, believing that "government is of necessity the product of intellectual design. If we can give it a shape in which it provides a beneficial framework for the free growth of society . . . we may well hope to see the growth of civilization continue." Perhaps. But this is to assume that "we" know what a beneficial framework for a free society is and will continue to be. But it is on precisely this question that heads get broken, and a doctrine is not likely to replace these problems.

Ebenstein has given an excellent account of his subject, accumulating a vast amount of information and tacking between the life and the thought in ways that even the non-specialist will find illuminating. There is no doubt that Hayek was both morally and intellectually a major figure. He developed in time into the very prototype of an international guru, at home everywhere, and with a message for everyone. A kind of exile had broadened his opportunities, so that the technical economist turned into the social philosopher. He felt most at home, he once said, in England; the reason, I would guess, being that his generally amiable personality never lost the reserved formality of his Viennese upbringing. His absolute centre of gravity seems to have been the Reform Club in London's Pall Mall. He may not have saved the world from socialism (though he did a lot), but he left behind the Mont Pelerin Society and a host of free market think-tanks which continue the important work of saving us from worshipping big government.

Gerhardt Richter at MOMA

by Karen Wilkin

“Gerhardt Richter: Forty Years Of Painting,” at the Museum of Modern Art, is large, confusing, uningratiating, and overdue.¹ It’s also hard work. Despite his considerable international reputation, Richter has exhibited relatively little in this country, and what has been seen has not fully reflected his concerns. For four decades, this elusive painter has shuttled restlessly among opposed modes, approaches, themes, and even painting languages, producing Pop-derived and politically engaged figure paintings, dispassionate abstractions, sentimental landscapes, romanticized portraits, and more. (An astute artist friend compared him to someone trying on clothes without having any clear idea of what he wanted to buy, weighing possible transformations of identity with each new garment.) Richter is probably best known to Americans for his abstractions, which, curiously, dominate the MOMA retrospective, despite the museum’s obvious attempt to be comprehensive

through its inclusion of many less familiar works. Entire series of figurative images are represented by single examples, subtly weighting the show’s account of Richter’s history. All of this makes it difficult to follow the logic of his evolution, but what makes the show really strenuous is the character of the work itself.

Richter’s paintings could be described as the ultimate embodiment of postmodern cool. They’re the “high art” equivalent of those deliberately ugly Prada garments designed to signal the wearer’s hyper-sophisticated scorn for traditional notions of taste (and ability to pay vast amounts in order to make this declaration, but that’s another matter). Richter’s pictures are impersonal to the point of coldness, reticent to the point of hostility. They are, in currently fashionable terms, affectless and withholding. The phrase “passive aggressive” flashed through my mind, unbidden, by the third or fourth room. (In his catalogue text, the exhibition’s curator, Robert Storr, a passionate admirer of Richter, calls at least one phase of his work “aggressively neutral.”) Like those humorless, severe people whose expressions never change no matter how hard you try to elicit some response, Richter’s paintings refuse to allow the possibility of connection, just as his comments on his work frequently seem designed to mislead or baffle. Yet the remoteness of his pictures is not like the high-minded distance of Poussin’s most cerebral compositions, which demand that

¹ “Gerhardt Richter: Forty Years of Painting” opened at The Museum of Modern Art, New York, on February 14 and remains on view until May 21, 2002. The exhibition will also be seen at The Art Institute of Chicago (June 22–September 15, 2002), the San Francisco Museum of Modern Art (October 11–January 14, 2003), and the Hirshhorn Museum and Sculpture Garden, Washington, D.C. (February 20–May 18, 2003). A catalogue of the exhibition has been published by The Museum of Modern Art (336 pages, \$75).

viewers engage with their rigorous formal and intellectual structure if they are to derive any pleasure from them. Richter appears not to care whether anyone gets anything out of his work or not; his paintings seem not so much self-contained as absent, as though he had turned himself into an emotionless, indiscriminate, image-generating machine. This is generally regarded as a plus—evidence of Richter's conviction that it is risky, if not downright impossible to appear to mean what you are engaged in, even if you've spent forty years doing it. Storr, for example, calls Richter "a master at keeping his distance" and notes the apparent randomness of his "arbitrary enumeration" of the subjects in a series of photo-based portraits of (male) writers and composers, suggesting that the painter's "overall purpose in the work—anonymity and indifference—would have been undermined if he had permitted his personal tastes or intellectual preferences to be discernible in the final array." This is meant as praise.

For the most part, Richter's paintings are not only emotionally reserved but also physically remote. The artist's hand is largely invisible; paint is usually thin, handled with ease and evident technical adroitness, but clearly not enjoyed for its inherent physical properties. Yet in the great majority of Richter's pictures, you can't even speak of the medium as an unavoidable, necessary means to an end. Paint, for Richter, is not an essential element whose qualities must be dissembled if illusionism is to be achieved because his illusionism depends not on the direct manipulation of materials but on the intermediary of photography. In Richter's pictures, paint is not made to disappear into a magical evocation of tactile experience, as it is in the work of his Northern ancestors, but instead stands for the anonymous, homogenized surfaces of the photograph—a kind of homeless virtuosity. What is more extreme, in many works, is that the chief function of paint is not to create an image but to un-make it, to render it indistinct, canceling out the photograph's indiscriminate wealth of detail and almost inadvertently suggesting

the transience of vision. Paint is put into the service of what Storr calls "un-painting"—an erasure of the recognizable that could be construed as an explicit visible equivalent of the erasure of self that Richter apparently strives for.

As you move through the exhibition at MOMA, confronting photo-based image after photo-based image, the earlier works softened and blurred by a sweep of (usually gray) pigment and the later rendered in faux Cibachrome color, you are forced to conclude that the fact of paint has been reduced to a sign for "art," a shorthand reference to an entire tradition, alluded to as expediently as possible, without any hint that its time-honored values or processes have any merit. It's as though Richter turned the accumulated history of Western painting into a sort of ready-made, an admittedly peculiar notion that is borne out by the presence in the show of selections from his series of thickly painted pictures. In some "un-paintings," dragged swirls of murky pigment, like parodic wet-into-wet Abstract Expressionist gestures, obliterate a preexisting image; in others, juicy strokes of a photographic spectrum of grays are drained of expressive associations by being used to diagram deadpan urban views from a high vantage point. Because of their staccato rhythms and their aberrant painterliness, these cityscapes end up having associations with "straight" modernist perceptual painting, although it seems doubtful that this is intended. They also have peculiar and probably inadvertent associations with Jasper Johns.

Richter's "painterly" abstract pictures, with their layered gestures and dragged scrapings of color into color, look even more like parodies of Abstract Expressionism than the "un-paintings." They are weirdly un-physical efforts that look like photo-mechanical reproductions of themselves, not surprisingly, since some of them prove to be, quite literally, hand-made, enlarged replicas of "ready-made" details, while others are essentially oversized monotypes whose final configurations include an element of chance.

Storr describes them as “pictures of gestural paintings not of the spontaneously eventful real thing,” and it’s plain that Richter has made great efforts to avoid any suggestion of the “spontaneously eventful real thing.” When he first began to make these abstractions, he found their resemblance to Abstract Expressionist works, no matter how ironically intended, created immediate associations with expression and feeling, in contrast to his “regular paintings”—the figurative works that preceded them—whose clear dependence on preexisting images reduced the act of painting to pure disengaged process. Richter’s atypically straightforward comments on the matter explain a good deal (and reinforce Storr’s bleak contention that his ultimate purpose was anonymity and indifference): “I didn’t quite dare to consider them regular paintings,” Richter has said of his first abstractions. “I looked at them as purely subjective. That is why I copied them to objectify them.”

The lifeless surfaces and arbitrary-seeming drawing of the majority of the abstractions at MOMA are evidence that Richter succeeded only too well in “objectifying” these works, divorcing them from the suspect spontaneous eventfulness of the “real thing” and turning them into a kind of cool, emblematic advertisement for abstract painting. If in his figurative works his use of the photograph mediates vision, then in his abstractions his effort to turn himself into a means of photomechanical reproduction mediates touch and, apparently, emotion. Storr, who has never been a fan of Abstract Expressionism, sees Richter’s pictures as “eschewing the histrionics and solipsisms that vulgarized the worst postwar existentialist art,” although he admits that the painter is “plainly cognizant of the positive examples set by the best.” (A West-coast colleague of mine, however, who shares Richter’s pessimism about the validity of painting like you mean it these days, maintains that Richter enjoys manipulating paint but feels compelled to disguise it so that it remains a “guilty pleasure,” subsumed by ironic detachment.)

Richter’s “objectified”—and presumably, less equivocal—figurative paintings can also have powerful associations with other art, despite their dominant associations with the mass media and all manner of mass-produced, more or less interchangeable, artifacts of mass culture. Warhol’s wide-ranging “manufactured” oeuvre is often invoked as a prototype for Richter’s, the late American’s carefully cultivated persona as the ultimate, ubiquitous voyeur offering a precedent for the German painter’s quest for “anonymity and indifference”; more generally, Richter’s photo-based works of the 1960s can be read as aestheticized, Europeanized versions of Pop. Yet in the end, even the most seemingly overt associations with Pop art dissolve. Richter’s work lacks the brashness, the bracing vulgarity, and rude humor of its American or British precedents. It takes itself very seriously indeed, whether, as in his snapshot-based “technicolor” figure paintings, domestic kitsch seems the motivating force, or, as in his sentimental landscapes, some lingering notion of *Heimat* appears to have generated the motif. The banality and seeming neutrality of the images is obviously the point. More ambiguous are the early black and white photo-based works, such as that “arbitrarily enumerated” series of male portraits of public figures, or the eight canvases of blurry enlargements of the yearbook photos of a group of student nurses. The clumsiness of the images, admittedly, reads less as a failure of technical accomplishment (or failure to neutralize himself) on the artist’s part than it does as evidence that enlarging the generating photo exposed its distortions and peculiarities.

The critical response has been that all of this constitutes a profound comment on the state of painting, a rigorous probing of whether it is possible to make paintings at the end of the twentieth century and the beginning of the twenty-first, although, given the sheer size of Richter’s production over four decades, the question seems unnecessary. (Given Richter’s nationality, of course, Adorno’s much-quoted pronounce-

ment that art is impossible after Auschwitz takes on new overtones when you are confronted by his work: is art more or less impossible if your compatriots created and ran Auschwitz?) Storr sees Richter's "vast and diverse body of work" as "haunted by a fundamental alienation, of which art can be a finely calibrated gauge, and for which it is a consolation but not a remedy." This seems to involve a profound questioning of perception itself. The key, however, is that in this context, perception is not conceived of as active looking or beholding, as it is traditionally understood to be in relation to the making of naturalistic art, but rather as something more passive—"received perception" was the phrase used by the artist who made the distinction to me—a state in which the beholder does not choose what is seen but simply accepts it, the way a camera does. Once again, the words "random" and "arbitrary" come to mind, especially if you saw the exhibition of Richter's archive of photographic source images at the Dia Foundation a couple of years ago, an accumulation that made unequivocal his desire to eliminate active choice or the imposition of will.

Walking through the Richter retrospective, I kept thinking about the thoughtful and superbly presented retrospective of the work of Andreas Gursky, organized at MOMA last year by Peter Galassi. Gursky acknowledges the influence of his older compatriot's work on his own efforts, but his eerie photographs seem to me to raise all the questions that Richter's paintings are said to raise—about the opposition of choice and acceptance in generating art that is about experiencing appearances—but do so more surprisingly and effectively. Gursky's oversized photographs, no matter how dependent they may be (to greater or lesser degrees) on digital manipulation, *appear* to be unmediated chunks of actuality selected by an acute visual intelligence. Despite the neutrality of their medium and the anonymity of their surfaces, they seem to be more felt, more responsive to the specifics of space, scale, color, and surface than Richter's paintings.

In Gursky's best photographs, tension is created between the actual and the willed, the chosen and the accepted; some images, disciplined only by the imposed frontality and geometry of the artist's viewpoint, seem at first to be overwhelmingly complex, multicolored assortments of random stuff, like ready-made abstractions of Pollock-like multiplicity, but they soon declare themselves to be immense slices of the quotidian, transformed by active looking. (It can be argued, of course, that this potent sense of a selecting eye is inherent to Gursky's medium, no matter how self-effacing or detached the photographer may be.) Gursky is no less "cool" than Richter, but his most compelling photographs force you to look at the world differently by revealing and celebrating the particularity, variety, and visual richness that can underlie the banal. Richter, quite the opposite, often seems determined to deny the existence of the particular and the visually compelling.

If coming to terms with the Richter exhibition demands effort, it's nonetheless easy to understand why its critical reception has been so positive. The very reticence and passivity of work allows just about anything to be read into it or attached to it. Whatever else Richter has achieved as a painter, he has provided his commentators with endless possibilities for riffs, theorizing, and arcane association only minimally related to the physical reality of his pictures (I admit to feeling the seduction of these possibilities myself in writing this piece). This has something to do with the seriousness with which he is taken, something to do with the enthusiasm with which the show has been greeted in an era that gives the verbal precedence over the wordless and visual. Which is not to deny the presence of a number of strong, arresting works in the Richter retrospective—works that set a standard not frequently met in other pictures in the show, that compel you to take their author seriously. In these, Richter creates a real battle between the photographic and the made, and he raises real questions about the connections between his startlingly inconse-

quential imagery and your experience of art of the past. (I suspect this may hinge on his somehow making the intermediary role of the photograph or the “ready-made” source seem to be less apparent than it is in less convincing works, such as—say—the color chip or newphoto pictures, but I’m not certain.)

A pared-down painting of two burning candles weirdly seems to distill a whole tradition of nocturnes into present-day terms, like a rigidly stylized Baroque opera revitalized by being presented in modern dress. The deadpan, monochrome, frontal “portraits” of a wooden kitchen chair or a roll of toilet paper force you to consider the artifice of painting by virtue of the sheer dumbness of their subject matter, at the same time that their indifferent surfaces seem to make those considerations irrelevant. In these pictures, a subtle orchestration of light and tonality, along with a satisfying relationship of the scale and proportion of image to canvas, reinforces these associations. Unfortunately, this harmony happens all too rarely in the retrospective. Far from updating the tradition of Caspar David Friedrich and his ilk, Richter’s landscapes teeter on the brink of schmaltz, their lack of formal rigor turning echos of German nineteenth-century romanticism into postcard sentiment. Most of the abstractions seem flabby. In most of the figurative paintings, you simply recognize the image and briefly toy with the allusions it may or may not be making, but you are almost never engaged by the medium or the structure of the picture. As a result, the paintings tend to become less interesting with longer study, rather than more—apart from their ability to trigger large amounts of theoretical verbiage, perhaps to make up for their dominant sense of absence.

But this, I keep being told, is the point. It is no longer possible, today, to make seductive pictures with a seductive touch, so Richter’s lack of interest in making the stuff of painting expressive is to be read not as indifference but as a deliberate refusal to do something outmoded or, in his words, “too subjective.” Yet color, or a least one aspect

of color, seems oddly exempt from such proscriptions. In the tradition of his German printmaker ancestors, Richter is a master of tonality, an accomplished manipulator of a spectrum of grays that, in his most achieved pictures, he exploits effectively. Chromatic color is another issue, definitively put in its place as yet another arbitrary, pre-existing variable, it seems, in Richter’s color chart paintings. In these ironic commentaries on minimalism and color-based abstraction, he divorced color not only from anything specific but also from sensuality, associations, expression, and—most perplexingly—from aesthetic considerations, turning the sequences and relationships of the blocks of different hues with which he constructed these pictures into an enumeration as random as the series of portrait heads. (Storr sees Richter’s abstract pictures, whose palette encompasses the murky, the sour, the sugary, and the grating, sometimes simultaneously, as evidence of the painter’s major gifts as a colorist. *De gustibus*.)

The centerpiece of the installation at the Modern is the controversial series *October 18, 1977* (1988, Museum of Modern Art), fifteen monochrome canvases about the Baader-Meinhof group. Whatever you think of the political underpinnings of the series, it includes a disproportionate number of the strongest works in the show, paintings in which subject, material, touch, proportion, and composition seem not to have been simply accepted from a range of current possibilities but to have been the result of real choices that reinforce each other. Even if you don’t know who or what the series is about, the barely glimpsed, blurred images that pulse in and out of the dragged expanses of gray seem, strangely, less arbitrary than in many other works. *Cell*, with its near-confrontational block of bookcase, its ominous shrouded “figure,” and its ambiguous vertical slash of paint, like a fictive “doorway” that immediately returns you to the impenetrable surface of the canvas, reaches a level of intensity not frequently seen elsewhere in the show. Of course, it’s better if you can’t identify the images or the

protagonists of the pictures; given the brutal havoc wrought by the Baader-Meinhof terrorists, the elegiac, celebratory tone of the series can alternately raise your hackles and send chills down your spine. Yet the politics of the reception of the series here and in Germany holds a certain fascination. Richter, as a disillusioned ex-East German, was apparently criticized by the German left as being too bourgeois to have had a right to tackle the subject matter. Storr's notion is that Richter's intent was "to give a human face to the victims of ideology who, for ideology's sake, created victims of their own," an interpretation that can be seen as disingenuous at best, offensive at worst. (Richter himself seems not to share this view, although, as usual, his comments are equivocal; he has spoken of his surprise at the West's support of the left and commented sourly on "the craving for revenge" of an embittered Marxist intelligentsia.)

The catalogue that accompanies the show is clearly a labor of love. Storr obviously believes deeply in Richter's importance—and, unfortunately, in the importance of absolutely everything Richter has done, but that's another matter. He believes, too, that despite the obvious conceptual basis of his work, Richter is primarily a "Painter," so that a substantial part of Storr's essay is devoted to reclaiming him from the postmodernist perception that he is a sort of anti-artist, in refutation of Benjamin Buchloh's widely-disseminated perception of Richter as a conceptual artist who happens to embody his ideas about the exhaustion of painting, paradoxically, as paintings. Richter's own comments on these interpretations, as on almost anything else to do with his work, seem designed to mislead. He can sound like anything from an aesthetic nihilist, convinced that all declarations of self through visual art have been exhausted, to a formalist nurtured by Clement Greenberg's writings. In his collected notes and interviews, *The Daily Practice Of A Painter*, you find him writing in the 1960s: "I don't know what I want. I am inconsistent, non-committal,

passive;" more recently, he told Michael Kimmelman, in a *New York Times* interview, that his landscapes were "photographs of nothing." But in the same interview, Richter spoke about abstraction in positively Greenbergian terms. Declaring that "we have a sense of quality," Richter described his own experience of his most radically emptied-out series, a group of uninflected gray monotonies: "I saw that one picture was actually better than another . . . the difference was interesting. I loved this: that there must be something, some higher faculty, some progressive sensibility that we find in abstraction. But it is impossible to describe." A paradox.

Paradoxical, too, is the relationship of Richter's work to the world in which he—and the rest of us—live. Great art transforms the way we see and think about the world. Images of nothing in particular can make us think differently about everything in general. The idea that the banal, the ordinary, the actively unpromising can be fruitful starting points for making art has been one of modernism's fundamental, even generating, assumptions. But modernism also assumes that the banal will be transformed by the exercise of formal intelligence. Manet's image of a costumed model recreating his glimpse of a street-singer exiting a café becomes of overwhelming significance because of the breadth of his paint handling, the authority of his touch, the rightness of scale, the unexpectedness of his color and his orchestration of tones, and all the rest of it. In the same way, Cézanne's apples and oranges or Matisse's elaborate studio set-ups compel attention because of how they have reinvented the ordinary. In spite of the empirical evidence provided by MOMA's retrospective of Richter's forty years of painting, the question remains whether this "vast and diverse body of work" in any way affects your experience of the vast and diverse reality of present-day existence. Does Richter's art illuminate the emptiness and banality of modern life or is it simply part of the emptiness and banality? But that, my colleagues will tell me, is the point.

Two poems

by Sarah Skwire

Canso (after Rudel)

My love so far away,
I'd been in prison here
for countless aching years.
You came and set me free
but left me here to roam
and long for you my love
so far away.

My love so far away,
I wander here beneath the trees
and watch the cycle of their leaves
from green to gold to gone
and then around again,
and long for you my love
so far away.

My love so far away
can you tell the good of liberty
when this freedom leaves me lonely
and you so far away?

My love so far away
all pained and joyous I will go
and seek you since, my god, I know
that I will never find a love
unless it is my love
so far away.

My love so far away
I'll wander every road and lane
take endless steps and endless pains.
The world will call me mad.
I know true madness is
a life without my love
so far away.

My love so far away
do this small thing for me?
Where you are, wait til I come
for you so far away.

Enueg

I hate wet feet
and well-done beef
hypocrisy, conceit.
I hate cold rain
and unearned fame
headaches, fever, pain.
I hate bad dreams
diminished means
and paranoiac schemes.
I hate clichés
the Roman Plays
all-you-can-eat buffets.
I hate pretension
blind convention
need I even mention
politicians
false contrition
salesmen on commissions
T.V. preachers
inept teachers
many-legged creatures.
And jello molds
and summer colds
viragoes, nags, and scolds
and income tax
and unjust acts
ad hominem attacks
and egoists
and narcissists
and also endless lists.

Theater

Oklahoma?

by Mark Steyn

In the good old days of the 1980s, the “British invasion” of Broadway meant ancient plays and rock operas—Shakespeare and Lloyd Webber. But neither writer is as active as he once was, and British directors who want to keep their hand in have had to turn to other material. At the moment, the current director of London’s Royal National Theatre, his predecessor, and his designated successor are represented on the New York stage by three new productions—respectively, *Oklahoma!*, *The Crucible*, and *The Sweet Smell Of Success*. Another Briton, Terry Johnson, is in town with his adaptation of *The Graduate*, which—on the strength of the briefest, dimly-lit nude scene with Kathleen Turner—managed to rack up the biggest advance for a non-musical production in the history of the American theater. What all these properties have in common is that they’re American. Chances are these days that if you go to a New York theater to see a major work of the American stage it will be directed by an Englishman.

Does this matter? Not in Richard Eyre’s production of *The Crucible* (at the Virginia), a powerful, straightforward revival with a gripping central performance by Liam Neeson. For thirty years now, Arthur Miller has been a bigger deal in London than in New York, and his political preoccupations get a more sympathetic hearing from Britain’s subsidized companies than from Broadway producers.

But Rodgers and Hammerstein are not

Arthur Miller. Trevor Nunn’s *Oklahoma!* is now famously “the dark *Oklahoma!*”: There’s a dark fetid smog on the medder. This is a difficult concept to grasp for anyone who did the show in high school or recalls the movie version with Shirley Jones. But this is what British directors from the upscale companies do: they bring out the dark subtext, even if there isn’t one. Nicholas Hytner started the current trend with his dark *Carousel*, which is at least possible, and then Sam Mendes gave us his dark *Oliver!*, which is just plain ridiculous. Dickens can be dark, but Dickens as adapted by Lionel Bart is another matter: Bart does chirpy, cheery, jaunty, he does cockney barrow boys with knees up, elbows out and thumbs behind lapels. But he does not do “dark.”

Perhaps the clue is the exclamation point: from *Oliver Twist* to *Oliver!*, *Titus Andronicus* to *Titus!*, *Hedda Gabler* to *Hedda!*, a good general rule is that once that exclamation’s in there any obsessing on the dark subtext will be at war with the inherent character of the piece. Alas, *Oklahoma!* is so sunnily American that no National Theatre director worth his gloomy black poloneck would be able to resist obscuring it in shadows. The real dark in *Oklahoma!* is what was happening offstage. In 1943, Richard Rodgers’s two-decade partnership with the brilliant, unreliable, alcoholic Lorenz Hart was on its last legs. When Rodgers stumbled on a flop play by Lynn Riggs called *Green Grow The Lilacs*, Hart

couldn't have been less interested: Oklahoma Territory. Turn of the century. Gingham. He was smart and urban: Hart's land was not the heartland, "where seldom is heard/ An intelligent word," as he once wrote. So Rodgers turned to Oscar Hammerstein II, who had written *Show Boat* in 1927 but performed erratically since. After opening night, Hart realized his mistake and his physical and mental decline accelerated.

Alan Jay Lerner once told me of being with Frederick Loewe and Larry Hart during a wartime blackout. Loewe switched on a radio: it was playing something from *Oklahoma!*, and Hart's cigar puffed brightly in the dark. Loewe tuned to another station—another song from *Oklahoma!*—and then another, and another: all were playing songs from the show, and Hart's cigar puffed more and more furiously. Eventually, they found a station playing some other tune, and what was left of the cigar finally subsided. The lights came on and Hart continued the conversation as though nothing had happened. Lerner described it to me as a man confronting his own obsolescence. Hart was dead within a few months, and the old haphazard musical comedy at which he and Rodgers had excelled—great songs, dumb jokes, star turns, hot babes—pretty much disappeared too.

Oklahoma! is celebrated as the musical that "integrated" all the elements—dialogue, lyrics, music, dance—into one organic whole. *Show Boat* had done all that sixteen years earlier, but *Show Boat* was epic—the Mississippi, race, gender, decades of history, ragtime, slave chorales—bound up into one sprawling evening, a fabulous one-off too special to impart lessons. *Oklahoma!* is *Show Boat* discipline applied to the most basic material of all: boy meets girl. In *Oklahoma!*, a cowboy loves an orphan girl, and everything else follows. If you can make an "integrated drama" out of that, you can do it with anything, and so it proved in the two decades following: *South Pacific*, *The King And I*, *My Fair Lady*, *West Side Story*,

Fiddler On The Roof, musical theater's belle époque. But it began with a little nothing of a story: who'll take whom to the box social.

At the Gershwin, a big brutal aircraft hangar of a theater, the spirit of the original *Oklahoma!* lives on in Anthony Ward's sets (if you overlook the toy train that chugs across the plain, a fussy and ill-advised frill in any play that isn't about toy trains). Nunn gives us a filmic opening: the endless blue VistaVision sky dissolves to a long shot—Aunt Eller's farmhouse and out-buildings—and then revolves to a close-up—lush crops and birds lazily circling above—and then a big-voiced cowboy:

There's a bright golden haze on the medder
There's a bright golden haze on the medder
The corn is as high as an elephant's eye
An' it looks like it's climbin' clear up to the sky.

This is what Rodgers meant by "the simple open-air spirit of the story": it breathes through, deep and unhurried, attuned to the rhythm of the seasons and the land they hope to build a state on. On the surface, it's just about which boy will take Laurey to the picnic, but in 1943, with the world at war, it tapped into something deeper, into America's sense of itself. Fifty-nine years later, in a different kind of war, it seems to be doing the same thing all over again, at least to judge from its record-breaking advance. But there's something just a little too mannered about the way Curly (Patrick Wilson) ambles on: he's playing a cowboy, not being one; you're aware that this isn't his natural walk, that he's making a conscious effort to amble. I don't remember noticing this four years ago at the National, whence this production originated, but on its belated Broadway transfer with a new cast it's hard to avoid, and a worrying note at the start of the show. *Oklahoma!*'s opening is a moment of ease, of a man at ease with his landscape and his life. It's not a good sign when an actor is ill at ease with being at ease.

"This is a real world," Nunn told *The New York Times*, "with real people, with a real

cornfield near the house, with real corn that the girls strip and munch." But the more Nunn insists on its authenticity the more inauthentic it seems, and eventually even Anthony Ward's beautiful big sky feels obliged to join in: every time *Oklahoma!*'s sour ugly loner Jud appears, dark storm clouds gather and scud across the stage. He's a stalker with meteorological back-up singers. If he's just mildly irked, it's only a solitary cloud, but mostly they're sticking to him like a kickline of cumulus, the gentlemen of the chorus to Jud's Carol Channing.

Jud is the dark heart of the "dark *Oklahoma!*" In Lynn Riggs's original play, he was minimally drawn, but Hammerstein spotted him and expanded him as a necessary counterpoint to the gingham-check folksiness. You can go to the frontier to build a community, or to escape it—to live free of its constraints. In Hammerstein's scheme, Jud is the lurking brute on the edge of the family. He's ugly, dirty, murderous, and displays his girlie pictures on the wall of his hovel. Musically, he has two moments. In the first, Curly swings by Jud's smokehouse, gives the cheesecake pics the once over, and then suggests to Jud that he kill himself. This is the cue for "Pore Jud Is Daid," a funereal comedy song that flatters the pathetic loser by speculating on the attention he'll get from his death. There's a streak of cruelty in Curly's song, the carelessness of those who are well in toward those always on the outside.

Jud's own solo fleshes him out and flushes him out. The Persian peddler has just tried to sell him some dirty postcards and, alone in his shack, Jud's frustrations seethe: "Don't want nuthin' from no peddler's bag. Want real things! Whut am I doin' shet up here—like that feller says—a-crawlin' and a-festerin'? What am I doin' in this lousy smokehouse?"

The floor creaks
The door squeaks . . .
And I sit by myself . . .
By myself in a Lonely Room . . .

What's on his mind? Not just postcards to slobber over, but Laurey, a real girl, to hold, to touch, to feel:

Her long, yellor hair
Falls across my face
Just like the rain in a storm . . .

This is the Rodgers and Hammerstein revolution in a nutshell: they made a place for everyone on the lyric stage. Hammerstein didn't make a big deal over Jud: he's just there—just as he's there in every low-rent bar or truck-stop you pull into across the continent, the brooding misfit nursing his beer. Jud just is. Small towns and isolated railroad halts accept the likes of Jud without giving it a second thought: he's the hired man, the driver, the casual logger, because there's no one else around. The employment pool isn't that big and, anyway, he's always been like that, never done anyone any harm, jes' leave him be and he's no trouble. Hammerstein also understood a basic dramatic calculation: a few dark clouds make you appreciate the sunshine a little more. Jud licenses the sunniness: he makes the buoyancy of that all-time great eleven o'clock number—"We know we belong to the land/ And the land we belong to is grand!"—seem earned. We understand the precariousness of civilization in the wilds.

That's not enough for Nunn, who's placed more of a dramatic burden on Jud than he can bear. With Josefina Gabrielle's Laurey, Shuler Hensley's Jud is one of only two cast holdovers from London, which lets you know where the director's priorities lie. For Nunn, Jud is not the inevitable aberration but the essential reality. Hensley's is the best performance on stage, rawer than Rod Steiger in the movie but earning our sympathy, too. When he sings about that "long, yellor hair" in "Lonely Room," it's flesh-creeping in its unashamed sexual hunger, even if the new orchestrations have to ignore Rodgers's score—"Moderato"—to achieve the effect. By the song's close, the band's practically on hold as Hensley

squeezes every last drop of juice out of the lyric.

But something's gone a little awry when the nearest thing to a fully-rounded human being is Jud. The problem with Nunn's *Oklahoma!* isn't the "dark side" but what he's done to the light side—to Curly and Laurey and Ado Annie, the girl who "cain't say no." And here, I think, the director's Englishness does become an issue. At heart, Nunn believes Jud is true and the others aren't—that frustration and resentment and dissatisfaction are real and that the great sunny optimism of "Oh, What A Beautiful Mornin'" is a self-delusion. This is the classic British misreading of America—that the Yanks are really just like us Brits, doncha know, but that somewhere along the way, possibly due to an excess of Coca-Cola or one person too many demanding that they "Have a nice day!," the poor chaps feel they have to be so bloody upbeat the whole time. Somewhere in the barn, I've got a big box of cuttings I used to keep of British journalists complaining about American abundance. "God, I hate the way they say, 'And what dressing would you like with that?', and then they reel off dozens of hideous things you've never heard of." If you go for ice cream in Britain, there's vanilla or chocolate, and chocolate's off. So it's hardly surprising that, confronted by perkiness, they assume it's a disease, or at any rate a sign of emotional immaturity. If you want to distill the difference between Britain and America into one couplet, it's the words plastered across a pristine sky-blue on the marquee of the Gershwin:

We know we belong to the land
And the land we belong to is grand!

It's the scale of America that Britons can't fathom. If the entire population of the world moved to the United States, the population density would still be less than that of the United Kingdom. If you're poor and you live in the English countryside, you'll be in some poky little rowhouse, no different from the East End of London but

just dropped in a country lane in the Lake District. If you're poor and you live in rural America, you can at least stick your rusting doublewide on the end lot down an abandoned dirt road. I'm writing this in my corner of this continent, looking out the window at a distant mountain still topped with snow, not another house in sight. In Britain, I'd have to be a Scottish duke to have a view like that. Even with some hideous strip-mall in Florida or Texas, go round the back of the building and on the other side of the service road there's wilderness.

Those Englishmen, Irishmen, and Scotsmen who settled the first colonies arrived as Britons, but the scale of the land changed their character. It's the vastness that makes the difference, that makes America a culture of possibilities and Britain a culture of limitations. Ask an Englishman how he is and he'll respond not optimistically but non-negatively, because that's the best you can hope for: "Can't complain," "Mustn't grumble," "Could be worse." I think it's very difficult for a Briton, for whom the next house, the busy road, the rude neighbors, the noisy pub, the yobbo youth center are always too close, to understand the great endless horizon of America. That's why you have shows called *Oklahoma!*, but none called *Norfolk!* or *Gwent!* That's also why, when Curly starts singing about that bright golden haze on the medder, the Englishman's natural reaction is to assume it's a crock and he's a chump for fallin' for it. If the corn is as high as an elephant's eye, then the job of a British director is to cut it down to size. Nunn's mistake is to assume that the innocence and enthusiasm of these people is misplaced, whereas the most casual glance at American history confirms otherwise.

Ira Gershwin was once sent the libretto for a Russian production of *Porgy And Bess* and was delighted by some of the mistranslations. In "It Ain't Necessarily So," the line "Little David was small but oh my" had been rendered as "Little David was impotent but oh my." Something of the same

confusion hangs over Nunn's *Oklahoma!*: for something so all-American, its sensibility is oddly foreign, with all kinds of translation errors here and there. The biggest misfires are in the female casting. As Ado Annie, Jessica Boevers is a cartoon ninny with a squeaky voice, with none of the country girl's sexual ease. Thus, Nunn's "real" approach has somehow made the characters less real, which shouldn't surprise us: trumpeting "realism" is often an indication of a lack of faith in the material as is. Likewise, Laurey. Josefina Gabrielle is English and shows it: there's no sense of pioneer spirit, of buoyancy and tenacity, giddiness and gumption, all you need to make Laurey lift off. Instead, she's a cranky frump in dowdy clothes, the victim of the National's faux naturalism: she's orphaned, she's got a farm to run, why wouldn't she be frumpy and unlikeable?

Nunn can't do anything about the way the characters feel about the land and the weather and progress and materialism—"Oklahoma!," "Oh, What A Beautiful Mornin'," "Ev'rything's Up To Date In Kansas City," "The Surrey With The Fringe On Top." But, in searching for the downside, he's hit upon the apparently conditional nature of the personal songs. "People Will Say We're In Love" is a way of telling the audience the characters are in love by letting them insist that they're not. Curly and Laurey warn each other not to hold hands, give flowers, etc., or people will get the wrong idea. The wrong idea is, of course, the right idea: they *are* in love, they just can't quite acknowledge it to themselves yet. Their love is confirmed by Rodgers's ravishing tune, as lyrical and sweeping as the words are ostensibly tentative. But

Nunn, directing from the words out, plays up the tentativeness: Miss Gabrielle has a very ordinary voice and, by going for lyrics rather than lyricism, the production stops the love songs ever taking flight. I've mentioned before one of my favourite Hammerstein lines, from "Shall We Dance?": "On a bright cloud of music, shall we fly?" Rodgers is one of the great melodists of the twentieth century, one of the brightest clouds on which you could ever fly. But at crucial moments in the play Nunn insists on tethering him down.

Perhaps it's unfair to dwell on these deficiencies when there are so many good things about the production, not least Susan Stroman's choreography, which deserves a review all of its own. But that's the point. The first "integrated" musical has somehow got disintegrated into its component parts. Richard Rodgers always said he learned his big lesson on this show—that, in a successful musical, the costumes look the way the orchestrations sound. When you start looking for dark subtexts to bring to the fore—and even interpolate dialogue from Lynn Riggs's original play to bolster your point—you risk throwing all that out of whack. The sets look different from the way the orchestrations sound. In one or two places, the new orchestrations seem to be warring with the tune. The book plays differently from the choreography. The dialogue plays differently from the lyrics. Audiences, as much as in 1943, want to love the show, but don't quite, because in the end the dark side isn't enough. An *Oklahoma!* where you come out saying, "Hey, wasn't Jud great?" is an *Oklahoma!* that's wandered off the map.

Gallery chronicle

by Daniel Kunitz

Art history is rarely mindful of those who don't fit neatly into its narratives, and the painter Balthus (1908–2001), who passed away last year at age ninety-two, has never really been a part of its story. Scorned by his detractors for his unregenerate representationalism and for the erotic overtones of his pictures of young girls, Balthus was never a modernist, though he lived during its headiest years and counted many of its protagonists among his friends. So it seems fitting that, during a spring season in New York blooming with outstanding gallery shows of modern art, including one devoted to Arshile Gorky's portraits and a breathtaking selection from the Washington University Gallery of Art at Salander-O'Reilly, his final two paintings hung in a group show, virtually unremarked upon.¹

Seen on adjacent walls, the two related canvases—the medium-sized *Midsummer Night's Dream* (1998–2000) and the large *L'Attente* (1995–2001)—were, to my eye, somewhat disappointing in overall effect, imbued by their coloration and imagery with a sweetness that has always been tasted in Balthus's work but which, in this case, was too sugary. Nevertheless, both are masterful in the assurance of their presentation, and, coming at the end of a career equaled only by the very greatest artists, they

demand close scrutiny. One of the problems confronting viewers of these two oil paintings is that in them Balthus marshals Renaissance order and symbolism—which was public and therefore legible five hundred years ago—for private allegory. And, indeed, both works, composed with a dramatic flourish so antiquated as to seem new, ask to be read allegorically. *A Midsummer Night's Dream* depicts a young nude girl, asleep with one leg bent up and the other crossed over it, lying on a miniature plateau, a couch-like impression, in a rocky landscape under a storybook crescent moon. In one drooping hand, she lightly holds the shaft of a mandolin. Presumably, hers is a dream of art inspired by Eros. Feathery brush strokes and scumbling bulk the painting's dark blue-green sky and rich green and brown hills and vegetation to the hazy softness of a Delacroix.

A more complex painting, *L'Attente*, with its brighter, less scumbled pigments as well as a sketched-in window, appears to have been left unfinished. In it, the pubescent nude girl lies in reverie on a divan, again with one leg bent up, a hand to her brow, as, with her other hand, she fingers the shaft of a mandolin propped against the floor. Heavy, purple velvet curtains, utterly theatrical, hang tied with a red velvet rope to her left, framing the scene; to the girl's right, past her feet, a dog—whose red collar rhymes with the velvet rope—stands on its two hind legs gazing out of a double win-

¹ Balthus's *Midsummer Night's Dream* and *L'Attente* were on view at C&M Arts, New York, from March 12 to April 20, 2002.

dow at a green landscape that distinctly alludes to Cézanne; and, over in a corner, contentedly ignoring the scene while in a sense presiding over it, the artist's feline familiar, a cat dark as a charcoal stick, sits on a chair.

An exhaustive interpretation of the latter canvas would require more space, but when one looks at it one ought to recall works such as Titian's *Venus and the Lute Player*, in which a nude holding a musical instrument reclines near a young man with a lute. Behind them heavy drapery frames a picture window through which one can see a mountainous landscape. The Titian rehearses a neoplatonic argument over whether beauty is most ably apprehended by sight or sound. I don't believe Balthus had such a literal allegory in mind when painting his last two works, but he clearly borrowed from Renaissance compositional order and iconography to construct these more personal scenes. By doing so, Balthus only made explicit his lifelong project of yanking older methods and styles into the present, offering a final irony: that this artist, who was so concerned with how the past inhabits the present, would find so much difficulty belonging to either.

It happened that near the two Balthus canvases was a Gorky, *Composition with Head* (c. 1936–37), which could easily have been mistaken for a mid-thirties Picasso were it not for its heavy impasto. Seen merely a block away from the Gagosian Gallery's commendable exhibition of Gorky's portraits, *Composition with Head* reminded me of the artist's own difficulties with gaining recognition and realizing a personal style. For much of his career, Gorky was accused—often correctly, in my opinion—of being fettered by his influences. The canvas at C&M Arts struck me as a sad, unintended pastiche, the artist speaking fluently, but with a heavy accent, in a language not his own. However, in the portraits shown at Gagosian—thirteen paintings and eighteen drawings—Gorky (1904–1948) managed to block out the most urgent strains of in-

fluence and paint in a manner fully his own, if not entirely settled.²

Some of the paintings on view were quite famous, in particular two versions of the artist with his mother, one from the National Gallery of Art, the other from the Whitney's collection. In the gallery, however, removed from a context that implicitly confers historical importance, they lost some of their iconic power—not necessarily an unhappy occurrence, as it allowed for a fresh-eyed assessment. Perhaps the show's most surprising revelation was the insight it gave into Gorky's use of drawing. Unlike, say, Willem de Kooning, whose drawings frequently recorded his untaken avenues, missteps, and second thoughts, Gorky's seem fully conceived, unmarked by hesitation or over-arching revision. From the Ingres-esque *Self-Portrait* (c. 1936) and the *Portrait of Frederick Kiesler* (c. 1943), with its deft limning of the sitter's psychology, to the less finished but unwavering *Study for Portrait of Master Bill* (c. 1937), the drawings on view evinced his astonishing ability in the medium, and, more importantly, they indicated how seldom the artist employed drawing to work through pictorial problems. Such confidence in his draughtsmanship no doubt contributed to the high quality of the drawings; however, that confidence did not extend to his paintings.

Just as the unfinished work of some artists—Michelangelo's late sculptures and some of Picasso's earlier canvases come to mind—can look entirely finished no matter where the artist left off, many of Gorky's painted portraits can seem incomplete and unfinished despite the artist's having signed and dated them. Looking at the drawings and paintings together, one sees that the assurance he had with a pencil all but disappeared when he dipped his brush in oil, turning instead to irresolution and frustration with his materials. I don't mean to argue here that the painted portraits don't

² "Arshile Gorky: Portraits" was on view at Gagosian Gallery, New York, from March 20 to April 27, 2002.

hold the eye—they do, and many do so exceptionally well—but it is impossible to ignore the struggles they present.

Part of the unfinished quality results from Gorky's difficulty with hands: he simply didn't capture them effectively in drawings or in paintings. One has only to compare the clunky representation of hands in the *Portrait of Frederick Kiesler* or in the drawing *Portrait of Mougouch (In a Hat)* with the pen and ink wash *Standing Figure* (c. 1936) or such paintings as *The Artist and His Mother* (c. 1926–1942), *Self-Portrait* (c. 1937), *Portrait of the Artist's Wife* (c. 1942), and *Portrait of Master Bill* (c. 1929–39), in all of which the hands have been obscured or painted out, to see that he had some sort of aversion to the appendages.

Still, the traces of his battles go far beyond hands. The surpassing finesse with a brush that Clement Greenberg noted a half century ago is largely in abeyance in the portraits, not, one feels, because he couldn't access it, but because he didn't know before starting in which direction to channel his abilities. Should he render his mother's deathlike stasis by giving her a pert countenance, though without highlights in her eyes, as in the Whitney's version of *The Artist and His Mother* (1926–1936), or by presenting her face as a pale mask with highlights in the eyes, as in the National Gallery's version? Should he employ his muted palette to express strong emotions, as in *Portrait of Myself and My Imaginary Wife* (c. 1933–34) or should he outline them in black to establish a Gauguinesque distance and exoticism, as in *Self-Portrait* (c. 1931–33)? Does the way forward proceed from the Roman frescoes echoed by *Portrait of a Woman* (c. 1936–42) or Egyptian funerary portraiture, as in *Portrait of Akabi (Abko) (Head; Woman's Head)* [c. 1936–37]?

The questions remain as wet and raw as newly applied paint. I'd like to add that the long periods of creation suggested by the dates provide further evidence of Gorky's wrestling with his conceptions, but I must state my lack of confidence in those dates: those inscribed in at least three of the paint-

ings explicitly contradict the dates given, without comment, in the catalogue and wall text.

As memorable as the two portraits of the artist and his mother are, I suspect it was the strong critical response to his later abstractions, influenced by Miró and Kandinsky but not overwhelmed by them, that assured Gorky's place in the history of modernism. *Golden Brown* (1943–44), a particularly fine example from the beginning of that final period, was included in the group show at Salander that spanned modern art from the European inception of Cubism to the monumental achievements of its American inheritors. Not at all intended to be comprehensive, "H. W. Janson and the Legacy of Modern Art," made up of a mere twenty paintings and sculptures of such superlative quality that any blanket praise would only serve to muffle their impact, focused on the emigré German art historian's tenure as a curator at the Washington University art collection in St. Louis, where he inaugurated the collecting of modernist examples.³

The show includes ten works Janson himself acquired for the museum and ten acquired by his successors. Although born in Germany—in fact, he was a non-Jewish German who left his country after his Jewish professor Erwin Panofsky was forced to flee—Janson tended to shy away from collecting German expressionist and Dadaist works, preferring instead the Schools of Paris and New York. Among his acquisitions on view at Salander, however, were a typically astonishing canvas by Max Beckmann, *Les Artistes mit Gemüse (Artists with Vegetable)* or *Four Men Around a Table* (1943), and a Paul Klee abstraction, *Überbrückung (Transition)* (1935), which, with its cubist structure and surprisingly warm palette, points to

3 "H. W. Janson and the Legacy of Modern Art" was on view at Salander-O'Reilly Galleries, New York, from March 12 to April 6, 2002 and will be seen at the Washington University Gallery of Art, St. Louis, from August 30 to December 6, 2002.

Janson's partiality for the less engagé French aesthetic. Displaying remarkable connoisseurship, Janson also chose the seminal Picasso collage *Glass and Bottle of Suze* (1912), Miró's limpid *Painting* (1933), whose balance of fragile line and solid shape harmonizes beautifully with Calder's sheet metal and wire sculpture *Bayonets Menacing a Flower* (1945), and Juan Gris's painted response to cubist collage *Still Life with Playing Cards* (1916). The two examples of Surrealism, one by Max Ernst and one by Yves Tanguy, make sense from the historical perspective, and, while both are particularly fine examples, one can't help noting how the meager aims of Surrealist art—to at once shock and seduce—resulted in work of considerably lesser importance than that of other modern movements.

The work chosen by Janson's successors maintains his general aesthetic direction even as it emphasizes the newer American incarnations of modern art. A warm-hued Stuart Davis recalls the Klee abstraction; a late Pollock, *Sleeping Effort Number 3* (1953), churning with color and bits of recognizable imagery, hangs opposite Willem de Kooning's chromatically satisfying, though ultimately minor by the extremely high standards of this show, *Saturday Night* (1956); the lush reds and oranges of an early Matisse, *Still Life with Oranges II* (c. 1899) complement the ochres and tans of the Gorky, across from which hangs a Picasso homage to Delacroix, *Les Femmes d'Alger* (1955), which is itself flanked on the one side by a captivating Jacques Lipchitz sculpture, the cubist *Pierrot with Clarinet* (1919), and on the other by two intentionally ugly Dubuffet sculptures from 1959, signaling an end to Parisian luxuriance. One could write an alternate history of modernism based on the works at Salander, one that minimizes Dada and mentions Surrealism in passing but which doesn't hew so relentlessly to the development of abstraction that it bypasses outstanding figurative artists like Beckmann—even the odd bird Balthus wouldn't sound a discordant note in that symphony.

Exhibition notes

"Surrealism: Desire Unbound" at the Metropolitan Museum of Art, New York. February 6–May 12, 2002

Considering advance hype from Tate Modern, London, where the show originated, "Surrealism: Desire Unbound" landed flat-footed in New York. A mangled kewpie doll from Hans Bellmer, a "SADE" branding iron from Jean Benoît, a scatological shoe from Salvador Dalí: these erotic artifacts, from a simpler time, feel anodyne by contemporary standards. Penis sheaths? It takes more than that. This show failed first of all to scandalize.

More fundamental, however, was the failure to convince. A wall text in the ante-room explains: "Surrealist desire explored diverse areas from the sublime to the transgressive. Central to Surrealist thought was sexuality, the voice of the inner self and a key to understanding human nature." The effort to cast (or recast) Surrealism as an art of sexual liberation is the show's pretext, but it does not succeed.

You have to wonder why. In an initial room dedicated to Giorgio de Chirico—I had nothing less than a revelation. Staring appropriately into *The Enigma of a Day* (1914), I thought: What if this is not about sexual liberation? What if this is another version of anti-formalist narrative—with liberation thrown in for sentiment? The emperor has no clothes! For a moment, I could swear I detected de Chirico's sailboat and steam locomotive emerging from his horizon line into view. This is a show about *literature*.

"It was not realistic imitation in itself that did the damage," wrote Clement Greenberg in "Towards a Newer Laocoon," "so much as realistic illusion in the service of sentimental and declamatory literature." This Greenbergian history is certainly written into the art of the first half of the twentieth century, despite much contemporary disapproval, and Surrealism, if not every Surrealist artist, is still the old maid cousin of expressionism

and abstraction. “Desire Unbound” is a tiny attempt to revivify Surrealism’s legacy, the legacy of literature, by displaying the lineage of anti-formal concerns—even as the show does not admit to its own devices.

The heavy rotation of de Chirico in the first room, whose works pre-date André Breton’s codification of the Surrealist collective (1924) by up to ten years, attains new meaning in this light. De Chirico is the missing link. The show calls it “orthodox space,” but what is remarkable about de Chirico, by bringing to mind an Albertian sense of Renaissance order but perhaps only its dream-like state, is the way his paintings flicker between an assembly of shapes and colors on the painted surface and the illusion of depth and space. In paintings like *Ariadne* (1913) and *The Uncertainty of the Poet* (1913), a subtle dialectic is set up between *ut pictura poesis* (narration) and *ut pictura musica* (form, immediacy), a contest that is enacted within the theatrical confines of de Chirico’s own work.

If we see de Chirico as the fork in the road, the remaining works in this show, with few exceptions, follow only the narrative path. Concerns of the medium are tossed aside in favor of illusionism. Yet it is remarkable to note the morphological indebtedness many of the Surrealist painters display towards de Chirico. Salvador Dalí repeatedly took up de Chirico’s overture to pseudo-Cartesian space but desiccated and regularized it. In Dalí there is little concern for the picture plane, but beyond the melted objects and other kookiness, his space looks a great deal like air-brushed de Chirico. In Dalí’s *Meditation on the Harp* (1932–1934), one can even detect a flight of birds, no larger than a few brush-hairs’ wide, emerging from ruins on the horizon, not unlike de Chirico’s obstructed boats and transports. Max Ernst likewise in *Aquis Submersus* (1919) strikes a remarkable resonance with *Ariadne* in both space and theme. (Surprisingly, Max Ernst had talent. The lush formal textures in *Robing Of The Bride* [1940] make you want to break up his paintings and keep only the good parts.)

Up next was a small room dedicated to the erotic photography of Man Ray, followed by another called “Transgender and desire transformed” with Duchamp’s *L.H.O.O.Q.* (1919) and René Magritte’s *The Rape* (1934), along with Frieda Kahlo and Leonora Carrington. Pretty self-explanatory. I then came across a sixth room by my count called “Desire and the written word.” Aha! Is this not the logical continuation of the story line? *Ut pictura poesis* becomes *pictura poesis est*. One can see the visual arts dissolving into the narrative and textual arts, and here arranged was a reliquary of manuscripts to that effect: Georges Bataille’s *Story of the Eye* (1928), Breton’s erotic *Nadja* (1928), and the romantic poetry of Paul Eluard (which, by the way, communicates little of the Symbolist Verlaine’s concern for “la musique avant toute chose”). Divided by a narrow space set aside for Picasso’s *Nude Sketch by the Sea* (1929) and Giacometti’s *Woman with her Throat Cut* (1932) (looking here lithe and forlorn after the MOMA retrospective), there was another room dedicated to text: Bataille’s *Mme Edwarda* with engravings by Hans Bellmer (1955).

The final spaces of the show featured a few literal gems by Joseph Cornell, including *Taglioni Jewel Casket* (1940) and *L’Égypte de Mlle Cléo de Mérode, cours élémentaire d’histoire naturelle* (1940), the village-idiot self-portraits of Claude Cahun, and a large final room meant to mimic the Surrealists’ last show: the 1959 “Eros” exhibition in Paris. It is here that “Desire Unbound” has hijacked an important Pollock (*Pasiphaë* [1943]) and two Gorkys. But by this point the show’s own narrative had sealed its fate, as the Surrealist movement did to itself, and these paintings seemed little more than stage props to a failing production. With the dissolution of visual concerns, the movement had played itself out. In my mind’s eye I returned to *The Enigma of a Day* (1914), with its space now superimposed onto the maze-like rooms of the show, and I could see this narrative theater slowly curving into an *abîme*.

—James Panero

"H. C. Westermann" at the
Hirshhorn Museum and
Sculpture Garden, Washington, D.C.
February 14–May 12, 2002

About eight years ago, I had a memorable and somewhat apprehensive conversation with a close friend, a painter. At the time, his wife was expecting their first child and the topic of discussion was parenthood. I asked if he had considered how the responsibilities of being a father might alter the diligent schedule he kept at the studio. He replied that this was a concern, but that his plan was basically to take the child to the studio with him. When I pointed out that young children are rarely content to sit and entertain themselves for hours on end, my friend answered that this problem was taken care of. All that was needed to keep a child occupied, I was told, was a playpen, a sack full of feathers, and a bucket of molasses. When I asked which child-care expert recommended this unconventional brand of behavioral enrichment, he replied: H. C. Westermann.

At the time of this conversation, the artist H. C. Westermann (1922–1981) was known to me primarily as a midwestern eccentric—a homespun absurdist whose sculpture occupied an edgy, if admired, niche in the annals of post-war American art. Knowing this much, I realized that the babysitting story fit the spirit of the man, though I doubted its veracity. Since then, I have learned that the above-mentioned regimen was, in fact, how Westermann occupied his own son. (For what it's worth, my friend did eventually take his son to the studio—minus the molasses and feathers.) Since then, I've had the opportunity to see more of Westermann's work. As a consequence, my curiosity about his art has turned to respect and my respect to enthusiasm.

An exhibition that was crucial to my appreciation of Westermann's art—and, I gather, for others as well—was held a few years back at Lennon, Weinberg, Inc. Dedicated exclusively to the "Death Ship," a recurring motif in Westermann's *oeuvre*, this show of sculptures, drawings, and prints was

adamantly personal. A marine who served in the Pacific during the Second World War, Westermann witnessed a kamikaze mission on the ship *USS Franklin*, an attack that resulted in the death of 900 men. His *Death Ship* sculptures were, clearly, a means of coming to terms with this horrific event. Yet one doesn't have to hang on the particulars of biography in order to register their awful dignity. It's plain to anyone with the eyes to see it. Inelegant, simple, and almost terrifyingly mute, the *Death Ships* are, once confronted, not easily shaken. They quickly put to rest my image of Westermann as a cornpone crank.

H. C. Westermann, the retrospective of his work currently on view at the Hirshhorn Museum and Sculpture Garden, offers a splendid, if often bumpy, opportunity to acquaint oneself with this singular figure. Some twenty-one years after his death, Westermann's art is as raucous and contradictory as ever. It also looks more significant than one would have imagined. Does this mean that Westermann, having long been consigned to the margins of post-war American art, deserves a place at the table? The answer is, if I may answer in a Westermannian fashion, hell no. What better position is there than the periphery to hurl broadsides at the establishment?

Which isn't to say that the establishment hasn't received those broadsides gladly. Indeed, Westermann's work can be found in important collections, both private and public, throughout the nation, and his admirers include Robert Storr, the curator of painting and sculpture at the Museum of Modern Art and a contributing essayist to the exhibition catalogue, and the scene's reigning perpetual adolescent, Bruce Nauman. Still, one should reiterate that Westermann's art, while genuinely idiosyncratic, is not merely so. It can be profoundly moving and is always profoundly American. Westermann is part of that headstrong continuum—one that includes Thomas Eakins, John Marin, and Edward Hopper, to name just a few—that regards individuality as both a birthright and an imperative.

Of course, no artist exists in a vacuum. Westermann's sophistication as an artist is never in doubt. The precedents to the art, while evidenced as sidelong glances more than all-out influences, are there. One sees the impact of Surrealism and Dada in Westermann's fascination with the grotesque and his insistence on bucking the status quo. Not that he'd belong to any school that would accept him as a member. Westermann was too self-reliant a temperament to fall for the icky orthodoxies of the former and too life-affirming to capitulate to the cheap nihilism of the latter. Instead, he transmuted both currents into a kind of sideshow slapstick—which is, come to think of it, what Surrealism and Dada were in the first place.

Westermann found his most direct inspiration in the art of a loner, an oddball and an uncategorizable master. The sculpture of Alberto Giacometti, particularly the dead-end of wit of the early work, left its mark on Westermann as did that of Joseph Cornell, both in terms of format, the box, and his unaffected intensity. The other touchstone for Westermann was Elie Nadelman. In Nadelman's seamless fusion of pristine classicism and down-home folkiness, Westermann discovered a true, if considerably more genteel, artistic soul brother. Certainly, that sinuous mix of sophistication and earthiness marks Westermann's own plaintive and punning *Homage to American Art (Dedicated to Elie Nadelman)* (1966). Westermann also shared with Nadelman an immaculate sense of craft.

A master carpenter unwilling to brook compromise in the shaping of his art, Westermann did his finest work in wood. Finical yet never fussy, thorough but not obsessive, Westermann the woodworker is a joy to behold. The pride he took in materials—whether it be a particular wood, a slotted screw, or the dexterous fitting of a dovetail joint (one of the great loves of Westermann's life)—contributes immeasurably to our appreciation of the work. Visitors to the Hirshhorn get close to Westermann's pieces in order to marvel at their every nuance. Since alarms are set off whenever anyone gets too close to the work, a constant

chorus of electronic beeps and admonishing guards form the soundtrack to Westermann's retrospective. In its own distracting way, that is the greatest of compliments.

If craft provided the muscle for Westermann's art, his wit provided the momentum. Often compared to Popeye, a figure to whom he bore a striking resemblance, Westermann shared that comic strip's coarse and rambunctious humor, at least as it was envisioned by its originator, E. C. Segar. And Westermann's humor is undeniable. So much so that when the work skirts the literal or the corny or the kitschy—qualities that Westermann, at his best, swallowed whole and spit out for the better—we're willing to cut him the requisite slack. Not that there aren't moments when we feel like pulling up the slack. This is particularly the case with the later work, which is less inspired than received and more slick than sturdy, or when Westermann worked in a medium other than wood. His chromium-plated homage to Giacometti, *Le Keeque (after Jockomedy)* (1966), for instance, is thunderously flat. It's something whose proper home is a novelty shop, not a museum of art.

At the top of his form, however, Westermann constructed near miraculous contraptions of deep feeling, causticity, and wit. His *Death Ships* remain the core of the oeuvre. *Nouveau Rat Trap* (1965), a virtuoso feat of woodworking and as sublime a joke as one could imagine, is the masterpiece. Even at his most contrary—when inserting finely cut knots into pristine planks of pine, carving a jack-o'-lantern from stone or making a box for walnuts out of walnut—Westermann can't help but divulge a mordant optimism. It's a shame *H. C. Westermann* won't find its way to New York. If it had, the exhibition might have taught a generation of post-modernists a thing or two about commitment, craft, and consistency of vision. Then again, such a museological omission is one that Westermann, ever cognizant of his off-center standing, would have responded to with an appreciative hoot. After which he would have followed up with the bird.

—Mario Naves

Music

New York chronicle

by Jay Nordlinger

The story of Leon Fleisher is familiar, but must be recapped. He was one of the most successful pianists in the world when, during the 1964–65 season, he contracted a disorder affecting his right hand. From that time on, he taught, conducted, and played a lot of literature for the left hand alone. Much of that music was commissioned by the pianist Paul Wittgenstein, who lost an arm in World War I. Slowly—particularly in the mid-1990s—Fleisher began to return to some two-handed work. And through it all, he has been, as ever, Fleisher: bold and brave.

He recently joined the Chamber Music Society of Lincoln Center for a most appealing concert. It was, as is true of any chamber event, an occasion for ensemble, but Fleisher was unmistakably at the center of things. He first took the stage for the Brahms Piano Quartet in C Minor, Op. 60 (a work, of course, requiring all ten fingers). I should note that Fleisher, astonishingly, looks pretty much as he did all those years ago, with those prominent glasses, that prominent jaw, and that prominent hair—so much of it. He plays pretty much like himself, too. He has that grand, masculine tone. He emits an aura of command. He brings a dramatic intensity. Obviously, he is playing without his full technical capability, and this was not a performance that you would necessarily want to preserve on CD—but it was stirring and admirable. The cellist, Gary Hoffman, contributed a fetching solo in the Andante.

On the second half of the program was the Suite for Two Violins, Cello, and Piano (Left Hand) of Erich Wolfgang Korngold. This was a Wittgenstein commission, and it represents Korngold in his exciting pre-Hollywood days. (Korngold was among those who had to flee as the Nazi night fell.) He was an ingenious composer, and he figured out how to employ the left hand alone to best effect. (Korngold also gave Wittgenstein a concerto.) The suite is a pleasant and clever work, which deserves to be better known.

In it, Fleisher was masterly, providing virtuosic, intelligent, and musical playing. Korngold's modernized Viennese waltz was melting. The section entitled "Lied" brought to mind the cliché "ravishing beauty." Throughout the work, the playing of the entire group was Romantic, whimsical, and winning. You could tell that Fleisher—even one-handed, even in an off-beat work—was an important pianist. That is, you could have told that if you had walked in off the street, not knowing anything about the man at the bench. His right hand was free for turning the pages. A brilliant, painful, and necessarily unusual career, Fleisher's—and it's not yet over.

Kurt Masur is in his last days as music director of the New York Philharmonic, a tenure that began eleven years ago. Soon he will give way to Lorin Maazel. Masur's valedictory programs have been interesting

and engaging, and none more so than the program offering the cantata from Prokofiev's *Alexander Nevsky* and the Mozart *Requiem*. Masur seems to have programmed music he loves and does well, which is rarely a bad idea.

Prokofiev, of course, teamed with Sergei Eisenstein to make *Alexander Nevsky* in 1938. Stalin was wary of Germany and decided that it was better to be Russian rather than Soviet for a while. The film tells the tale of an ancient and epic battle between Russians and Germans. When Stalin made his alliance with Hitler, *Alexander Nevsky*, needless to say, was shelved. It was taken off when Hitler turned on his ally.

The composer fashioned from his score a cantata for mezzo-soprano, chorus, and orchestra, which the Philharmonic performed with the New York Choral Artists (Joseph Flummerfelt, director). Masur was at the top of his game. He drew from the orchestra a certain bleakness of sound, to go with a roughness of sound, appropriate to the work. He was rhythmically incisive, exacting, exciting. In his hands, the music wasn't too heavy, but rather had about it a buoyancy and light-footedness. This *Nevsky* felt at times like a true cantata, not an extravaganza (and it is both). It had some of the fleetness and zaniness of *Lieutenant Kijé*, as well as some of the romance and lift of *Romeo and Juliet* (and why not, seeing that they all came from the same pen?). Tempos were sensible, neither dragging nor rushing.

The soloist was Nancy Maultsby, a mezzo who is most closely associated with the Lyric Opera of Chicago. From her throat comes a dark, husky, and wondrous sound. Often the singer in this cantata reminds you of "The Field of the Dead"—the "snow-clad field"—of which she sings: cold, icy, barely human. Maultsby did not give that impression, but she brought passion and force, which were also welcome. She is a musician of clear intelligence and conviction.

Every aspect of this somewhat unwieldy score, Masur handled deftly, superbly. He had not been back very long following an extended absence for surgery, yet he was

pulsating with vigor, barely able to contain himself on the podium. It would be hard to ask for conducting more savvy or spirit-filled. The question ran through my mind: "Why, again, are they getting rid of him?"

The earlier work—the earlier and greater work—was performed second, as really had to be the case. One does not follow the Mozart *Requiem* with anything. The Philharmonic's was not a scaled-down "originalist" performance, of course, and neither was it an overlarge one. It was in between, a good place to be.

In the vocal quartet, there was one rather unknown quantity, the bass Nathan Berg, who contributed some distinguished singing. Admirably, he could be heard even on his lowest notes. The soprano was the veteran Edith Wiens, always competent. And Maultsby returned, as powerful and persuasive in the Mozart as she had been in the Prokofiev. She is the kind of singer who makes you, the listener, pay attention.

Our tenor was Stanford Olsen, who often seems to be walking a tightrope. He is a cracker—one who cracks—and if he doesn't crack, he is always in danger of cracking, which makes an audience rather nervous. Yet he possesses a truly beautiful voice—light, high, and sweet—and to hear him is worth the anxiety. Still, it is to be hoped that, before he is through, he works out the technical glitches, which may—not to put the poor man on the couch—relate as much to the mind as to technique, strictly speaking.

This *Requiem*, almost needless to say, was perfectly adequate. There was nothing overtly *wrong* with it. But it lacked ethereality. Much of it was more pleasant than profound. The Recordare, for example, was routine, and the Lacrimosa, though it was balanced and dignified, was far from heartrending. The *osannas* at the end of the Sanctus, it's true, were thrilling. But this was a rather normal *Requiem*—an everyday one—that failed to scale the heights. That may seem like too much to ask, height-scaling: but I am one critic who expects and fairly demands great things from the next

music director of the Orchestre National de France.

If the Metropolitan Opera has a dominant star—memo to Mr. Pavarotti: I'm not saying it does—it is Plácido Domingo, who has sung (and occasionally conducted) with the house for about thirty-five years. Apparently, what Plácido wants, Plácido pretty much gets, and this season he wanted a production of *Sly* in which to star. This is the opera by Ermanno Wolf-Ferrari that Domingo's wife, Marta, had produced in Washington with the Third Tenor, José Carreras, in the title role. That production was transferred wholesale to the Met.

Wolf-Ferrari is barely known now, but he enjoyed a reputation throughout Europe in his day (mainly, the first three decades of the last century). Elisabeth Schwarzkopf used to sing Italian songs of his arrangement as encores for her Italian audiences. Until the recent rise of *Sly*, Wolf-Ferrari's best-known (though, again, barely known) opera was *Il Segreto di Susanna*. (Her secret? She smokes.)

Sly opens in a tavern, and it reminds many people of Offenbach's *Tales of Hoffmann*. Domingo, according to a consensus, is the ultimate Hoffmann. He does well in operas that have the smell of ale. How many times have we seen him jump up onto a tavern table to sing (usually with raised glass in hand)? While its first act is merry and raucous—though tinged with foreboding—*Sly*, in its final two acts, turns gut-wrenching and tragic, embodying sheer *verismo*.

The evening's soprano, singing Dolly, was the Russian Maria Guleghina, who caused a near sensation last season at the Met as Abigail in Verdi's *Nabucco*. She is a battleship of a soprano, ready for anything, willing even to sound ugly for the sake of some dramatic or musical effect. At the beginning of *Sly*, Guleghina did a little belting—a little shrieking—and she had trouble finding her pitch. But she always carries herself and sings like an opera singer, a diva, for which there is surely place in an

opera house. I should point out that Guleghina is not *always* a battleship: in the Act II love duet, she showed tenderness and beauty.

Taking the role of the Count of Westmoreland—as he had in Washington for Mrs. Domingo—was the veteran Spanish baritone Juan Pons. He sang solidly and conveyed the right malice.

About our star, there is by now little left to say. Words fails, or rather, they are the same: resplendent, gleaming, animated, commanding, consummate. It seems that no one has told Domingo that, in his sixties, he must be in decline. Not only is he sounding better than in years past, he is looking better, too: trimmer, fitter, more capable. And he seems to be shedding (vocal) mannerisms, whereas musicians, as they age, usually increase them. To hear and watch him is to acknowledge that you, too, would give him his own show. If Domingo is the "ultimate" Hoffmann, he is the ultimate *Sly* as well. It would be nice if he recorded the opera, though with one recording of the work already (headed by Carreras), perhaps the world—which is to say, the market—has enough.

In the pit was the Italian conductor Marco Armiliato, who handled his duties well. *Sly*, incidentally, is no joke of a score; it is interesting, varied, and accomplished. It certainly deserves its moment in the Met sun, particularly given that some lesser operas have been permitted to bask in that sun. Far from a curiosity or a sop to a star, this production was moving, even memorable.

Anne Sofie von Otter has one of the most interesting careers in singing, and also one of the widest repertoires—these two facts must be related. The Swedish mezzo-soprano is often found off the beaten track, for example making a recording with Elvis Costello. She likes to showcase deserving but overlooked composers, such as Scandinavians not named Grieg or Nielsen, and the aforementioned Erich Wolfgang Korngold (who wrote some exquisite

songs). Her latest recording is devoted to the lady composer Cécile Chaminade.

At Alice Tully Hall, von Otter appeared with Les Musiciens du Louvre, a “period” group with which she both concertizes and records. (Its founder and conductor is Marc Minkowski.) The program opened with Bach’s cantata “Ich habe genug,” one of his greatest works, and therefore one of music’s. It is usually sung by a bass or baritone; in fact, it would be sung by Thomas Quasthoff in Carnegie Hall with the Los Angeles Chamber Orchestra a few weeks later. But von Otter has every right to assume this music, as no singer, whatever the voice, should have to pass it up.

Her approach to the first aria was surprisingly operatic, or, let’s say, large and forward. Others have been more introspective in this music, more aware of the holy. But von Otter gave evidence of her many virtues, including intonation that would survive a hurricane—nothing can blow her off. Her phrasing is intelligent, and the voice is a pleasure: meaty low notes, reliable (if not spine-tingling) high notes. She is the sort of singer who “hugs the line,” who is always solid. Her recitative singing, in the cantata, was exemplary.

In the second aria—the divine, cradling “Schlummert ein, ihr matten Augen”—the orchestra was something of a distraction, playing in a detached manner, without the proper flow. But von Otter managed to do some beautiful things in this section. The third and closing aria—“Ich freue mich auf meinen Tod”—was fast, bordering on rushed, and von Otter did not seem her most secure self in it. In addition, the orchestra—or Les Musiciens, we should say—sometimes overwhelmed her, especially when she was in her lower register.

The singer returned for three arias of Handel, beginning with “Resign Thy Club” from *Hercules* (which she has recorded with Minkowski and this group—that is, they have recorded the complete opera). She was peppy and slightly hammy—with liberal portamento—but also somewhat unprojected. The second and third arias were

from *Ariodante*, beginning with the difficult “Scherzo infida,” which was very slow and very noble: there was that customary von Otter feeling of substance. But as the aria progressed, she became so slow and “subjective”—overdramatic, to put it negatively—the music almost ceased to be itself. Even so, this was an impressive performance, as von Otter’s ability wins out.

Ending the set was “Dopo notte,” which was sprightly, but, again, slightly underpowered, even in a chamber hall, even with that ensemble. I should note that von Otter can move her voice through passagework with almost unseemly ease. Her musical tastefulness is often remarked, but it must be said, too, that she has technique to spare. And though we may cavil here or there, she is a singer who always satisfies, than which it’s hard to say more.

This year includes milestones for two major musicians: Seiji Ozawa, who is finishing his tenure with the Boston Symphony Orchestra, after almost thirty years, and Mstislav Rostropovich, who is celebrating his seventy-fifth birthday. The two of them—or the three of them, including the orchestra—visited Carnegie Hall, with a new cello concerto by a young French composer, written for Rostropovich, and the Dvořák concerto. The series of concerts—including with the Boston—that Rostropovich gave in celebration of his *sixtieth* birthday were fantastic; a performance of Prokofiev’s *Symphonie concertante* (also written for him), in Boston, stands out in the memory. No one can play that work like Rostropovich, and, of course, no one can play like Rostropovich.

The Carnegie concert began, however, with a piece composed in honor of Ozawa’s twenty-fifth anniversary with the orchestra by John Williams: it is called *for Seiji!* and it is a little showpiece, in which the BSO virtuosos have a chance to dazzle. This is not immortal music, but it has some very nice bars in it. Elements of the film Williams can be heard in this work, along with elements of the concert-music Williams (and they can seem to be two separate composers, with

the advantage belonging to the film Williams). When it comes to showing off, almost everyone in the orchestra has a turn, even the harpist. The BSO is obviously a first-rate band that should flourish under a first-rate conductor, James Levine, who is set to join them full-time in 2004. As for Ozawa, he was, in this piece, “dynamic,” to use one of the (positive) words most often applied to him.

That new concerto is by Eric Tanguy, born in 1968. It is his Cello Concerto No. 2, indicating that he was in the business even before the world’s most important cellist asked him for a fresh piece. The concerto for Rostropovich is well constructed and color-filled; it is also very French, for all its rough and “international” modernism. It is not without tedium—possibly, it is a little long for what it has to offer. How many hearings it receives after the great man is through with it is an open question. But Tanguy—beaming and giddy after the performance, as he should have been—is lucky as well as gifted, and he surely knows it.

The second half of the program went to the Dvořák, the dominant work in this repertory (with apologies to Haydn and other worthies). How many times has Rostropovich sat down to play this work? How many times has he rehearsed it, conducted it, accompanied it on the piano, taught it, commented on it, thought about it? It has served him well, and he has served it well. Some people maintain that his recording of the Dvořák with Herbert von Karajan and the Berlin Philharmonic is “the most perfect recording ever made.” (They used to say the same thing about John McCormack’s “Comfort ye,” in the early days.) Indeed, I might argue that Rostropovich’s account of the Bach suites is the most perfect recording ever made—but that’s another essay, in addition to a parlor game.

By this time, the reader will want to know how Rostropovich played. In the new concerto, he was splendid, quite Rostropovich-like. His sound is unmistakable, both in its tone and in the way it moves. It is as familiar as one’s own voice, or Callas’s. As

for his technique, very few musicians in history have been so secure on their instruments as Rostropovich. When he is at his best—which is the way he has been for most of his life—he has utter control over his body, his instrument, and his mind. Furthermore, what is in that mind is powerful.

The Dvořák did not find him at his best. This was an odd performance, in that it was very, very slow. Some critics, wanting to be complimentary, might write “daringly slow.” I would say that it verged on *experimentally* slow—as though the cellist wanted to find some (not very happy) limit. Conductor, orchestra, and soloist had a hard time playing together, and there were moments of turgidity. Still, this was Rostropovich, something to be thankful for.

After much applause, Ozawa launched the BSO into “Happy Birthday,” taken at a decent, singable tempo.

Concert notes

Parade, at the Metropolitan Opera House, New York.

The Metropolitan Opera’s French concoction *Parade*, originally put together by the director John Dexter and the set and costume designer David Hockney in 1981, still retains the presence of Hockney, who refurbished the inventive sets and gave the evening (March 4) what glamour it possessed. The conceit of the production is that the three works—Erik Satie’s *Parade*, Francis Poulenc’s *Mamelles de Tirésias*, and Ravel’s *Enfant et les Sortilèges*—are in some sense hostages to World War I (although this is true only of the first piece), and they are therefore played surrounded by searchlights and barbed wire, with a child-innocent and a harlequin as symbols. Unfortunately, Dexter is no longer alive. I remember the production working pretty well under Dexter; here, with Max Charruyer redoing it, the conceit worked less well, though the unintended parallels with September 11 gave it a tragic *frisson*. Dexter’s idea for *L’Enfant*—to have

the roles sung from the sides of the stage and mimed by dancers—still is effective and allowed for some really fine singing, especially by Ruth Ann Swenson as The Princess.

Satie's *Parade*, a ballet with a book by Jean Cocteau, is a very slight work more famous for its provocativeness in the final stages of the war than for its music. A siren wails and dance rhythms sound, but they passed harmlessly in the choreography of Gray Veredon. *Les Mamelles*, written during the First World War and set by Poulenc during the Second, is an antic jape, with much more substantial musical underpinnings. For maximum delight, of course, it should be played in a pocket theater by singers with exceptional enunciation, so that the Dada Apollinaire text can be fully appreciated in all its poetic and punning glory. In the vastness of the Met, Ainhoa Arteta looked lovely as Thérèse, but most of her words were lost—the clearest articulator was Earle Patriarco as The Husband. Nonetheless, much of the charm of the piece carried to the audience—at least the irreverence that was, for so many works, a Poulenc trademark.

James Levine's fatal attraction to slow tempos undermined the charm of the final work, for *L'Enfant* must be played with wit and verve, and to allow it to drag is to sentimentalize the story of the naughty Child and his justified comeuppance. The Met orchestra can play this coruscating score to a farethewell, and often it was a pleasure to hear, but this simple, direct take, with its understated ending as the Child realizes his transgressions, is not where Levine's strengths lie. In addition, the talented Danielle de Niese was miscast as the Child, being too mature-looking and -sounding, and altogether too much of a young American kid.

Tristan und Isolde, by Richard Wagner, at Avery Fisher Hall, New York.

The interest in the New York Philharmonic's performance of excerpts from Wagner's *Tristan und Isolde*, which I heard February 12, lay in the Isolde of the soprano Deborah Voigt and in the conducting of Kurt Masur, recently recovered from a kidney transplant and not known (in this city at least) for his opera work. As to the first, this extended glimpse of *Tristan* (the program included the Prelude, all of Act II, and the Liebestod) showed that Voigt is vocally quite ready to take on the demanding role, and she made a fine, if at this point rather passive, Irish princess. It is not surprising that she was at her best in the Liebestod, for her large and creamy soprano is suited to this type of transfigurative music; one hopes, however, that she will not attempt the full role for at least a few years. Masur's view of the score is grounded in his symphonic work: he sees it as a rather stodgy orchestral poem, for voice and orchestra, not particularly attuned to the dramatic demands of the text but everywhere carefully musically prepared.

The rest of the cast (Stig Andersen as Tristan, Theo Adam as Mark, and Thomas Studebaker as Melot) were acceptable (though Adam is well past his prime), but the electrifying vocal moment of the evening belonged to Violetta Urmana's rendition of Brangäne's Watch, who singing from the top of the house was certainly one of the finest I have heard. And what sound from up there—would that they could put the orchestra where she stood!

—Patrick J. Smith

The media

Intemperate political rhetoric

by James Bowman

There is, alas, nothing very remarkable about the fact that Representative Cynthia McKinney (D-Ga.) should have given public voice to her suspicions that the President of the United States (R-Tex.) was complicit in the terrorist attacks on the World Trade Center and the Pentagon, that he knew about them in advance and did nothing to forestall them because his corporate friends stood to make a lot of money out of the war that he knew would follow. It was rather more remarkable that such paranoid lunacy was reported in *The Washington Post*. The pillars of the American journalistic establishment can usually be relied upon to treat such a *faux pas* by someone whom they regard as being, even *ex officio*, a “black leader,” with the discretion of a good domestic servant. Most Americans still do not know, for example, that “Minister” Louis Farrakhan makes no secret of his plainly delusional belief that he has been “taken up” into a spaceship for posthumous conversations about the future of the world with the Hon. Elijah Muhammad—and then, as President Kennedy once said in another context, “safely returned to the earth.”

Most remarkable of all, however, is the fact there now appears to be so little disposition among our political and journalistic elites to regard such a charge, acknowledged by Rep. McKinney herself to be merely conjectural, as being in any way extraordinary. The *Post* reporter Juliet Eilperin dutifully sought a “reaction” from the

administration, and “Bush spokesman Scott McLellan” dutifully supplied one: “The American people know the facts,” he said, “and they dismiss such ludicrous, baseless views.” Then, referring to the fact that the congresswoman had also complained in a radio interview that “an administration of questionable legitimacy has been given unprecedented power,” he added that “the fact that she questions the president’s legitimacy shows a partisan mind-set beyond all reason.” Actually, it’s not the questioning of his legitimacy that shows such a “mind-set” but the questioning of his honor. But isn’t there also something a bit “beyond all reason” about the President’s being asked for a reaction to such ravings in the first place? It is as if he were being asked for his reaction to Elvis sightings.

Not for the first time in these pages I have occasion to observe that it is only very recently that we have finally spent the moral legacy coming down to us from the days when congressmen, and to some extent even the “gentlemen of the press,” really were, or at least were expected to be, “honorable.” Even ten or a dozen years ago, I think, someone in a position of public trust who held the views of Rep. McKinney would have felt inhibited from expressing them publicly. There would have been some residual sense of shame at having nothing to “back up” such a charge, some respect for the office of the man against whom it would have been made, and perhaps even some

dim folk memory of a time when certain kinds of charges would have been met with a challenge to deadly combat. Of course, it is also possible that Ms. McKinney was not unaware that her sex protected her from being called to the field of honor by some champion of the President—he himself being barred by the rules of honor from challenging a subordinate.

At any rate, for the congresswoman as for so many other people these days, there were no inhibitions. Ms. Eilperin, no doubt in search of “balance,” cited by Rep. Jack Kingston (R-Ga.), who is said to be “a friend of McKinney’s,” as paying tribute to her on the grounds that she is “adept at seizing on ‘red-meat’ issues that resonate with her political base and have helped her fend off a series of GOP challengers.” In other words, the assumption on all sides is that politicians will say what “resonates with their base” quite irrespective of any question as to the truth or falsity of what they say. Her gallant Republican defender then goes on to say of Ms. McKinney that “She’s not as random as people think. . . . People always want to hear a political conspiracy theory.” And so they do too. That is why, in place of honorable public servants, we now have the ethos of the supermarket tabloids, for whom one titillating story is as good as another, since their only purpose is to sell newspapers.

But what else should we expect when there is no price to be paid for any falsehood uttered in the public dialogue, unless in the course of uttering it you steal someone else’s words? All the recent fuss—and a certain amount of *schadenfreude*—about “plagiarism” in the cases of Doris Kearns Godwin and Stephen Ambrose may be partly to reassure ourselves that we do have *some* standards of truth and falsehood that still mean something to us. The truth and genuineness of the *process* by which discourse may be supposed to emerge from thought is still important, the falsehood or fraud of same still a scandal. As to the truth or falsehood of discourse’s *content*, well, no one any longer feels competent to judge. Therefore, anyone can say anything.

In somewhat the same way, the “peace process” in the Middle East remains sacrosanct—an avowed commitment to it is, according to the President, all that stands between Yasser Arafat and the label “terrorist”—even as the outcome of this “process” has proven to be nothing but that other process which is known to the media as the “cycle of violence.” Such morally neutral terminology, such refusal to differentiate between good and bad violence, or between law-enforcement and criminality, is thought to be highly sophisticated and “nuanced” (a favorite word) by the intelligentsia of the media, who nod with approval when mad King Lear says, “See how yon justice rails upon yon simple thief. Hark in thine ear: change places, and handy-dandy, which is the justice, which is the thief?” Actually, it’s not all that hard to tell for anyone who is not beside his five wits (they forget that Lear goes on to propose shoeing a troop of horse with felt “and when I have stol’n upon these son-in-laws,/ Then kill, kill, kill, kill, kill, kill!”).

Yet the assumption of moral equivalence between the terrorist and those who seek to punish terrorism is all but universal in the media. Or, as Todd Purdum put it in *The New York Times*, “a general abhorrence for attacks on innocent civilians is tempered by ambivalence in many unsettled corners of the world about just what it means to be a terrorist, and fierce debates about whose political or ideological interests are being served, or justified, or gored.” Such “fierce debates” constitute a kind of cycle of violence of their own, and one in which the journalist is equally determined not to take sides. “If Israel sees its military campaign in the West Bank as a justifiable echo of Mr. Bush’s assault on Al Qaeda, Palestinians claim affinity with the American colonists’ revolt against an occupying power,” writes Mr. Purdum. And there it is: Yasser Arafat as George Washington. Remember when it was Ho Chi Minh? As in the case of Rep. McKinney, who is to decide who’s right?

Thus when the President adopts, even if

only for diplomatic purposes, a similar point of view (only maybe without the comparison to his illustrious predecessor-George), journalists like Mr. Purdum crow that "Mr. Bush was forced to acknowledge a more ambiguous reality." As usual, nothing brings a warm glow of self-congratulation to the breast of the newspaperman (or, indeed, -woman) than the belief in his superior intelligence as manifested in his understanding of this "ambiguous reality" and pointing to the shadings of "gray" that are (almost) invariably to be found between the "black" and the "white." True, the blacks and whites of race and "racism" remain unperturbed by any putative gray in their makeup, but you would be hard put to find any other moral or political matter referred to the analytical skills of our nation's journalists that does not come out of the process looking far more gray than black and white.

Such a posture of moral relativism is thought to be as necessary to journalistic "objectivity" as the refusal to judge the veracity or otherwise of Representative McKinney's charge against the President, but why should the political culture feel constrained to adopt the same pose? Apart from avoiding criticism as a simpleton from the likes of Mr. Purdum and our equally sophisticated European allies, what did the President expect to gain by refusing to call Arafat a terrorist and dispatching Colin Powell to shuttle between him and the Israeli authorities who stood, guns drawn, outside his headquarters in Ramallah? Can he really have hoped that Powell would come up with yet another form of words that could be presented to the public as more of the "peace process"—however much it served in practice as a cover for more terrorism? Or did he feel that the burdens of leadership include the burden of having to be seen to be *doing* something, even when there is nothing (diplomatically at any rate) to be done? Maybe just the thought of seeming a simpleton in the eyes of America's and the world's elite is enough.

I suppose it would have been more

surprising if Bush had shown the tough-mindedness to stake out a position in opposition to the overwhelming consensus of the political and journalistic culture. That way lies, as Newt Gingrich found to his cost, "extremism." It is true that it would not be easy, in the terms of the American frame of political reference, to fix the "extremist" label on the pro-Israeli (or even pro-Sharon) lobby, but even Israel's most doughty journalistic champions too seldom attempted to argue with such bedrock assumptions of the elites as those which give rise to notions like "the cycle of violence." The Establishment (as we used to say back in the 1960s) clears its throat by saying, like Zbigniew Brzezinski (writing in *The New York Times*) about "the current crisis," that "one can argue forever as to whether Yasir Arafat or Ariel Sharon is more responsible for its eruption. What is clear is that the two cannot reach peace together and neither can impose his version of it on the other."

This is nonsense. Argue if you like that Arafat was justified in producing the "eruption" of suicide bombing and Israeli retaliation, but you can't pretend that there is *any* case to be made that he is not "responsible" for it—if only because he has not denounced it. Nor is the other side of the antithesis any less disingenuous. It is not the case that neither Arafat nor Sharon can impose his "version" of peace on the other. On the contrary, though Arafat cannot, Sharon clearly can, and—until recently at any rate—he has looked like doing precisely that. It is just a question of where he may be persuaded to stop, and therefore how much civil disruption he is prepared to tolerate once he does so.

My concern here, however, is not with the delusions under which our politicians and statesmen seem to labor but with the assumptions which make them inevitable. Most, like the quasi-therapeutic notion of the "cycle of violence" and its corollary, which is the presumptive moral equivalence of all combatants, have their origins in the vague leftism of the 1960s. Questions of

right and justice, as much as those of honor, are routinely submitted to a form of Marxian analysis which can take account of no idea of truth or falsity, right or wrong, apart from power relationships. Who/whom? as Lenin said. With only a slight intellectual effort, you can still identify the Palestinians with the proletariat and the Israelis with the doomed bourgeoisie, as many academic Marxists do, but this is not necessary.

Prior to such particularization there is the general principle that questions of right or wrong are insoluble in themselves, like the question of the truth or falsity of Ms. McKinney's accusation against the President, which is lent color by the sort of extended (but patently absurd) Marxism which reflexively supposes that no system which benefits its leaders can be just. That Bush may plausibly be supposed to have friends who profit from manufacturing or selling war *matériel* is enough to damn him. All questions must thus be translated into "objective" considerations of who is doing what to whom. No wonder that the media prefer to look at things in this way! The voice of such objectivity, they would argue, is *their* voice.

It would be a bold man who would predict any future for a media not so enthralled to vulgar Marxism, but there are some straws in the wind suggesting that America's elite culture may be discovering in itself a disposition to rethink at least the more disastrous of the many assumptions that have come down to us from the 1960s. One is Joshua Muravchik's magisterial *Heaven on Earth: The Rise and Fall of Socialism*, reviewed in these pages last month by Roger Kimball. Another is Steven Hayward's *Age of Reagan: The Fall of the Old Liberal Order, 1964-1980* (Forum/Prima). Despite its misleading title (there is almost nothing in it about the *old* liberal order, though there is a great deal about the *new* one), it amounts to nothing less than a rewriting of the still-popular media history of the heroic 1960s. Among other things, Hayward shows how the habit of the ir-

responsible and intemperate political rhetoric of a Cynthia McKinney dates back to the liberal anti-Goldwater campaign of 1964.

But perhaps most remarkable has been the appearance on PBS in April of a series called "Commanding Heights: The Battle for the World Economy" by William Cran and Daniel Yergin, based on a book of the same title by Yergin and Joseph Stanislaw. With a thrilling sweep and authority, the three two-hour programs managed to put before the camera a significant percentage of all the people who have been most influential in effecting the world's gradual shift from Marxist and quasi-Marxist or Keynesian economic ideas, and all that they implied in the way of political oppression, to liberal and free-market ones over the last quarter century. Beginning with the conversations between Keynes and Hayek when both were fire-watchers at King's College, Cambridge, during the war, and ending with the seemingly inexorable progress of liberal economic ideas during the 1990s, the series shows that it is possible to make television a kind of intermediary between the aridity of scholarship without knowledge of the world and the mere popularization that it is generally guilty of when it attempts to deal with serious subjects.

The ambitious producers have traveled all over the world to interview the politicians and real-world economists who actually attempted, some of them quite unsuccessfully, to put into place the reforms that have turned some of the most grim and poverty-stricken places on earth into places more like the first world than the third. It is, among other things, a great detective story. For example, the key to much of the drama in the second episode, "The Agony of Reform," is the story of the British spy in the Kremlin, Oleg Gordievsky, who was smuggled out of the Soviet Union in the trunk of a car while a British woman agent distracted the KGB sniffer dogs at the Finnish border with potato chips.

Gordievsky brought with him the first hard information that the West had been

concentrating on arms control questions so much that it had neglected the fact that the Soviet economy was a basket-case on account of its ruinous expenditure on arms. Gordievsky said that it was as much as a third of GDP—at the height of the Cold War the United States never spent more than about five or six percent of GDP—and proved later to be nearer a half: “They were deceiving the world.” On this knowledge was built the “arms race” of the 1980s that finally rendered the Soviet position untenable and brought about the end of the Cold War.

The series is not without its mistakes. “Lenin’s revolution,” the narrator solemnly tells us, “industrialized a backward country in a single generation.” This is a bit of left-over Leninist myth—the stuff is as hard to root out as crabgrass—and ignores the evidence that the Russian economy was growing much faster before the revolution than after it. Though inclined to give credit to President Reagan for his exhortation: “Mr. Gorbachev, tear down this wall!” and for the strategy of bankrupting the Soviet economy by accelerating the arms race, it also pays its even-handed tribute to Gorbachev, citing the phone call from Poland after Solidarity won national elections. “What do we do now?” asked Polish party officials.

“Nothing. Accept the result of a free election,” said Gorbachev.

It was, we are told, “the phone call that ended the Cold War.”

Perhaps so, but you could just as well say that the Shah of Iran brought about the

reign of the Ayatollahs by losing his nerve and not ordering his troops to fire on the demonstrators who were calling for Khomeini to lead them. Every Soviet leader gave a public demonstration of the fact that the only alternative to liberalization was brutal force. Gorbachev simply did so in a negative way. Like most of us, he deserves credit for not killing people. Or not as many as he otherwise would have killed.

Most seriously, the third episode, “The New Rules of the Game” is far too indulgent to the “anti-globalization” protestors of Seattle, Quebec City and so forth, who are not identified (as they should be) as the rag-tag remnant of the Luddite hippie-left of the 1960s.

But much can be forgiven for the sake of the appearance on such an organ of the Establishment as PBS of an acknowledgment that, as Ricardo Lagos, the post-Pinochet president of Chile puts it, people have finally learned to agree that what mattered “was not right or left but a sound economy. But it took a long time to learn it.” Or as Yergin says, “The world”—by which of course he means the intellectual world—“had changed its mind.” And if one sort of Marxian thinking passed away (except, of course, for its continuing place of privilege on the university campuses of the world’s capitalist superpower), maybe the kind that is more common in the media, the kind that refuses to take sides between true and false or right and wrong but only notes which is more powerful, will also some day—far in the future no doubt—begin to disappear.

Guileless games

by Max Watman

If there is anything the reading public knows, it is that underneath the calm gentility of suburban life boils a hellish soup of misdeeds and perversions. The rolling hills of Winesburg, Ohio and its cast of fresh-faced ne'er-do-wells are always within view. Michael Frayn, in *Spies*, has turned this tradition a bit on its head, for in this book, the transgressions are mostly imagined by a young boy named Stephen.¹ That is, until the truth is revealed, and we see the real and grown-up banalities of adultery, ill-chosen love, and cowardice.

The book is set amidst the blackout curtains of World-War-II England. Stephen has a friend named Keith, who is a class above him, goes to a better school, and therefore operates as the leader in their gang of two for most of the book. Keith voices the game that will initiate the story. Frayn's crescendo approach to this utterance is so melodramatic that upon its arrival it can only disappoint. Throughout this book, in fact, Frayn writes as if he must close each act with a zinger to keep you in your seat while the curtain is down. We get a lot of "Everything has changed once again, and changed forever." Or: "And then, out of the darkness, his voice. A single quiet word . . ." What Keith declares is this: "'My mother,' he said reflectively, almost regretfully, 'is a German spy.'"

¹ *Spies*, by Michael Frayn; Metropolitan Books, 288 pages, \$23.00.

From Keith's accusation, the boys construct a game. At least, as Stephen says, "Things start as a game, and then they turn into a test, which I fail." The boys hide in a privet bush. A locked trunk holds a broken carving knife they call a bayonet, some matches, a crumpled pack of Players—boys' things. From their fort, they spy on the pretend spy and slowly become entwined in a story of fear and betrayal.

There are good rites of passage, kisses, and stolen cigarettes, moments of self-confidence and insight where before there had been only childish playfulness and a willingness to believe.

Though Frayn has set the book in recollection, he sticks to the child's eye view. We meet the old Stephen Wheatley first, on his way back to his boyhood suburbia. Frayn adores this technique. His warning, at the start of the wonderful *Headlong*, is even more suitable to *Spies*:

I shall have to go back in time to the very beginning, and relive what happened as it happened, from one moment to the next, explaining exactly what I thought as I thought it, when all the puzzles were actually in front of me, and what I was trying to do at each moment given the possibilities that seemed open to me then, without the distortions of hindsight.

This has its disadvantages.

Well, yes. This technique drums up about as

much trust between narrator and reader as a used car salesman does when he announces that "This, time, honestly, I'm taking a bath, but I'll tell you the truth: for you I don't mind." Yeah, right.

In *Spies*, despite our access to the grown-up Wheatley, that which confounds the boys confounds the reader. Though Stephen is ignorant of it, the Wheatleys are German Jews. Stephen senses the difference; his rules differ from other folk's rules. But Frayn hides their Jewishness from us until the very last moment, after much misunderstanding on Stephen's part about the nature of the "Juice." To what end? The unnecessary and empty suspense can't jibe with Frayn's insistence that the book be cast as a recollection. The same is true for the willful naïveté of the child narrator. If we are not to benefit from the older man's perspective until the last dozen or so pages, why introduce him at the start?

The old Wheatley obviously knows who is hiding out in the old barns. Why must we follow the misadventures of a child? Because Frayn holds the misadventures of his characters dear. He informs them through retrospect only when it suits his authorial intent. When swept up in the book, these manipulations are tolerable. When not, not.

The man in the old barns, the love affairs, the Jews, these are fragile structures to hold a book about a child's world. Frayn treats these flimsy framing devices with grave import, rather than as throwaway MacGuffins—a frustrating quality in a book that deals so well with the naïveté of children and their pretend worlds.

For Frayn has once again picked up his pretend worlds. The "what ifs" of *Headlong* and *Copenhagen* were strong, historical things. The imaginative play here is a children's game. For all the attempts, *Spies* never approaches the gravitas of *Copenhagen* or the academic suspense of *Headlong*. (Despite intentions, this is to its credit.)

When far away from Richard Ford's latest collection of stories, *A Multitude Of Sins*, recollection colors the pages and the stories

seem better, and more varied, than they truly are.²

One remembers a multitude of settings, from New Orleans to Maine, and the titular multitude of sins. In capsule form, the stories seem varied and strong. Upon returning to the book, the multitude of sins resolves to one sin (adultery), the geographic variance turns out to be one place: Fordville. Superficial differences abound. People duck hunt and are slightly more eccentric in New Orleans, so Ford sets the New Orleans story in a duck blind. But a duck blind, the Grand Canyon, Maine, Michigan: these spots are simply canvasses upon which Ford paints his tonal renderings of the same folks (they stretch all the way from reasonably successful to very successful, from rather well educated to over-educated, from utterly self-absorbed to . . . utterly self-absorbed).

Ford portentously titled the best story in the book "Crèche." A woman, Faith, takes her sister's two girls (the sister is in rehab), her mother, and her sister's ex-husband skiing in Michigan for Christmas. They strap lights all over a rubber tree in their Nordic lodge. Faith, though barely decipherable from other Ford characters (she is slightly more attractive, more successful, good Hollywood job), is a strong character. Her feelings for the girls seem legitimate and involuntary. This is a welcome break in a stream of cold, calculated, non-lovers. She is a confident woman, and her sister's ex shakes her up with some menacing advances when he ambushes her on a cross-country ski trail, drunk. "Yep, life leads you into some pretty interesting situations." He is repeating himself. There is another zipping noise. This is big-time fun in Roger's world view." She escapes back to the condo, locks him out, and goes to bed. With the heaping form of her mother next to her, she muses on marriage. What she comes up with is pure Richard Ford: "Though maybe marriage was only a long

2 *A Multitude of Sins*, by Richard Ford; Knopf, 304 pages, \$25.00.

plain of self-revelation at the end of which there's someone else who doesn't know you very well."

In a story titled "Under the Radar," a young wife announces to her husband that she has cheated on him. He pulls over to the side of the road, and they have an argument. He hits her. They watch a truck run over a raccoon. In one of the more deft maneuvers of the book (and certainly the only good thing in this story), Marjorie switches the fight and is now the aggressor. She capitalizes on his violence to muster the righteousness she needs to be mad, and to put the cause of the violence, her infidelity, behind her.

"I was sorry when I told you," Marjorie said, very composed. . . . "Though not very sorry," she said. "Only sorry because I had to tell you. And now that I've told you and you've hit me in my face and probably broken my nose, I'm not sorry about anything—except that. Though I'm sorry about being married to you, which I'll remedy as soon as I can." She was still not crying. "So *now*, will you as a gesture of whatever good there is in you, get out and go over and do something to help that poor injured creature [the raccoon] that motherfucking rednecks maimed with their motherfucking pick-up truck and then because they're pieces of shit and low forms of degraded humanity, laughed about? Can you do that, Steven? Is that within your range?"

Once she gets her husband on the road, she hits him with the car. The true failing in these stories is that they deal entirely with aftermath. Boiled down to the essence, fiction is a series of set-ups: a character must choose life or love, society or individual, here or there, go on or don't go on. The choices made and the outcomes of those choices constitute the moral weather of a book. The most important things in *A Multitude Of Sins* were completed before we picked it up; it is a book set entirely in the figurative past perfect. Therefore, however a character might fall—one actually falls into the Grand Canyon, subtle like a jack ham-

mer, this Ford—his castigation is an exercise in cruelty. It does not set anything right, because we did not witness the act for which the character is punished. It is like sex without love: lurid and base. Only it is not that much fun, because the sex, too, is in the past. Ford has written only about one fingertip after another burned by the post-coital cigarette.

One would be tempted to ignore *The Dive From Clausen's Pier* if Knopf had not rolled it out in a 75,000 copy first printing (the same number of copies allotted to Richard Ford).³ Someone at Knopf is hoping for "Ann Packer, the new Donna Tartt," "Oh, Ann Packer, she's the new black." Only this "dive from Clausen's Pier" is a dive into very shallow water: a post-college story of young men and women trapped in their Midwestern routines.

Though initially stifling, our prairies are demonstrated to be, if not quite as "interesting" as the coasts, the heart of all things American. Here is a Midwest full of nice, unpretentious boys and well-meaning girls.

At the start of the book, Carrie Bell is unhappy with her high school sweetheart cum fiancé, Mike, and has been quietly mean to him. The best thing in the book is the subtle bitchiness with which Carrie ignores his questions and drops conversations about their future children and marriage date. Mike asks a question in the opening pages and she shrugs and reaches into her purse for some chapstick. Her petulance is well wrought.

The dive of the title comes quickly. At a Memorial Day beach outing, Mike dives and breaks his neck. Now come hospital visits and strained relationships, as everyone tries to accept the newly crippled Mike. Illness and injury, both mental and physical, can be a wonderful trope for the novel. The recitations from incarceration in a mental hospital constitute a sub-genre of amazing accomplishment. Here, the hospital is a

³ *The Dive From Clausen's Pier*, by Ann Packer; Knopf, 384 pages, \$24.00.

kind of fianchetto. All else is blocked, break someone's neck! We will get at the emotions that way!

Throughout, Packer fails to distinguish between stage direction and action. Consider this:

From the kitchen table I watched as she filled her coffeemaker with cold water, then opened the freezer and reached for the coffee bag that contained her special mix.

"Mom, I need the real thing this morning."

She smiled over her shoulder. "OK, but it'll be on your conscience if I end up with the shakes all day." She got a different bag and started the coffee, then sat opposite me. I pushed the muffins toward her. "These look sinful," she said. "What kind are they?"

"Carrot. But don't worry, I got the ones with only half butter."

"Well, in that case . . ."

I broke off a piece of mine and put it in my mouth . . .

Let me spare us. I had intended to excerpt another three-hundred words of that scene—it builds up to a wonderful denouement regarding Carrie's desire to replace her mother's curtains. Which she does. At length.

After about a billion pages of stage direction and "Are you okay?" "Are you okay?"—it is a needy girl's heaven—Carrie Bell chucks it all and moves to New York. Where, of course, she meets a lot of homosexuals, immigrants, and people who do interesting things. Packer tells us that they are interesting, but the reader will not be convinced.

Carrie falls in love with a pedantic, forty-year-old spoiled brat unpersuasively nicknamed Kilroy. Carrie's observations about New York are feeble. The conversations overheard are not realistic. The reader will occasionally credit Packer with a tongue-in-cheek representation of sophomoric prattle, but will soon realize he has overestimated her.

Packer, I suspect, has long wanted to write about clothes. In *The Dive From*

Clausen's Pier, she has found a way to indulge herself. Carrie Bell is a fledgling designer and seamstress. Her descriptions of the clothes she designs, though, far from interesting the reader (as Philip Roth did with his wonderful description of glove-making in *American Pastoral*) simply fall flat. The garments of which Carrie Bell is proud do not sound attractive. "I needed something wonderful to wear to the wedding. . . . I imagined a brown stretch-lace T-shirt over a long brown taffeta skirt, a knee length burgundy satin dress with a matching swing coat. I wanted something dark and rich for a Christmastime wedding. A gold peplum jacket over a paisley brocade skirt, a deep red wrap dress with a plunging V neckline."

Carrie gives up on New York, and the book turns from unpleasant to downright awful. The climax in *The Dive From Clausen's Pier* has Carrie Bell move back in with her mom. She forfeits whatever unlikely success awaited her and gains happiness doing alterations in her mother's kitchen. The moral of the story seems to be that life is best spent on as even a keel as possible, that one should sacrifice for mediocrity, and that after college, whatever you do: move back in with your parents.

I am ambivalent regarding Jonathan Safran Foer's much-hyped book *Everything Is Illuminated*.⁴

A character named after the author goes to the Ukraine to find a woman who was instrumental in saving his grandfather from the Nazis. While the character is there, he hires a guide named Alexander. They tour the Ukraine looking for a woman named Augustine, and the fictional Foer hires the fictional Alexander as a writer. We read Alexander's account of the visit. The other major bit of *Everything Is Illuminated* is a magical realist historical fiction about the town of Trachimbord and the history of Foer's bloodline. The third little bit consists

⁴ *Everything is Illuminated*, by Jonathan Safran Foer; Houghton Mifflin, 288 pages, \$24.00.

of letters from Alexander to Foer concerning the pieces that Foer has mailed to Alexander (the Magical Realism) and the criticisms that Foer has made of what Alexander has written. What we are reading, therefore, is set up as an epistolary, collaborative draft.

Thus removed from the author, much of *Everything Is Illuminated* is “written” (one does hate to be forced to use the pomo scare quote) by a character with a Russian/English dictionary in one hand, and a thesaurus in the other. This is the source of much comedy, and Foer sustains the joke surprisingly well. Consider this scene, in which the Grandfather of the tour guide Alexander, the fictional Foer, Alexander, and a dog named Sammy Davis Junior, Junior try to decide what to eat.

“We will eat,” I told him. “Good,” he said, holding the photograph very near to his face. Sammy Davis, Junior, Junior was persisting to cry. “One thing, though,” the hero said. “What?” “You should know . . .” “Yes?” “I am a . . . how to say this . . .” “What?” “I’m a . . .” “You are very hungry, yes?” “I’m a vegetarian.” “I do not understand.” “I don’t eat meat.” “Why not?” “I just don’t.” “How can you not eat meat?” “I just don’t.” “He does not eat meat,” I told Grandfather. “Yes he does,” he informed me. “Yes you do” I likewise informed the hero. “No, I don’t.” “Why not?” I inquired him again. “I just don’t. No meat.” “Pork?” “No.” “Meat?” “No meat.” “Steak?” “Nope.” “Chickens?” “No.” “Do you eat veal?” “Oh, God. Absolutely no veal.”

And so on. The timing is worthy of Abbot and Costello. The eastern European bloc against vegetarianism is spot on. However, what of this willfully naïve “There was a sadness amid him and the photograph, and nothing in the world frightened me more”? If Foer had written that without the triple distance, it would be laughable stuff, over the top. Foer is writing like an amateur action painter, and one is tempted to ask if he can draw.

Foer has protected the historical narrative

from criticism by making it a mystical Talmudic/Kabalic fairy tale. One cannot call Foer out for inserting needless lyricism. “4 quarters of a chicken” instead of “a chicken,” or “half a baker’s dozen of eggs.” Six and a half eggs? Foer writes of a Klezmer band at an early nineteenth-century wedding, but Klezmer arose from the meeting of jazz and Jewish folk music in America in the twentieth century. Alexander at one point asks Foer: “Are you being a humorous writer here, or an uninformed one?” The reader will echo Alexander’s question.

It is adolescent, though sometimes effective, to name a character after yourself in a novel. It is doubly adolescent to give credit for most of the writing of the book to some other character in that novel. To credit authorship to a character whose command of the language is limited is triply adolescent. After all of that, to insist that the book is not even finished, that is chicken.

Foer could not get far enough away. This insecurity is reminiscent of the uptick a teenager puts at the end of every concrete statement to turn it into a question.

That said, Foer has done some real work, and composed a vivid and funny book. Alexander is a very good character, and his development and complexity outweigh his running gag. Most debut novelists cannot get it together to imagine anything beyond their campus quad, their parents’ divorce, the intricacies of dating in New York City. *Everything Is Illuminated* lists bathetic at times, is sloppy at others, and still shines through as one of the best books of the year.

The characters in William Kennedy’s novels can play pool and know where the bodies are buried. *Roscoe*, the seventh in his Albany series, is the story of a garrulous, voracious politico.⁵

The title character is the backroom power, the second-in-command of an Irish political machine and loyal to that machine in a

⁵ *Roscoe*, by William Kennedy; Viking, 294 pages, \$24.95.

chivalrous way that makes all conclusions foregone. If it is for the benefit of the Boss, it is good. You want Roscoe in your fox-hole. He will not have crises of faith. He is capable and intelligent. He is the twentieth-century knight. He shares much with the hero of all crime noir and hardboiled detective stories, but Kennedy has moved him out of the genre ghetto by taking chances with lyricism and exposition that most detective writers are unwilling to take.

Kennedy is comfortable with dream sequences and with long, detailed recitations of how to run a city, a whorehouse, or a cockfight.

You can also train your bird to lose: practice him with muffs on so he becomes a coward, take away his protein or his water, give him a candle to study all night before a fight to paralyze his pupil, give him diarrhea with Epsom salts, drug him with cocaine, tie his spurs so they're too tight, or too loose and fall off, or so their angle will make him miss his target; and if an eye is gone, pit him on his blind side so he can't see the enemy. Or, conversely, put curare on your bird's spurs to paralyze the enemy; put grease, or drops from heated lemon skin, on his head to make it slippery, so the enemy's bite won't hold; put cocaine or Xylocaine on his feathers so when the enemy bites his mouth goes to sleep and precision is skewed.

Cockfighting, in Kennedy's world, runs much as politics does. Roscoe is an expert handler. Things have soured, though. He wants out. He is fat, tired, and a car wreck has destroyed his insides.

He perseveres through this book for one last victory and one last cover-up for the party.

Throughout, characters from the rest of the Albany books, such as the Phelans and Legs Diamond and Marcus Gorman, appear, giving the atmosphere of a small city to a book about a small city. In a city the

size of Albany, one gets the feeling, you frequently run into people you know. Sometimes, it feels like you have the whole town figured out. Then the city, or Kennedy, throws you a curve: things are more complicated, more unknowable, than they seem.

Kennedy shifts the chronotope around so much that the book, though fewer than three hundred pages, seems to swirl out in grand scale. We learn whatever Kennedy feels we must. He takes us back to Roscoe's wedding to the tramp sister of the true love of his life, who married his best friend. We read Roscoe and company as youngsters maneuvering the first political coup by fixing both sides of an election. We solve, finally, Legs Diamond's murder.

Throughout, Kennedy liberally deploys his own version of history and his own shape of fact. Roscoe himself holds the motto that "Truth is in the details, even if you invent the details." We will not learn Kennedy's Albany through AP-style objectivity any more than Roscoe will be able to do what needs doing by sticking exactly to the events. William Kennedy wrote in the *Times* last January that writing without the infusion of actual experience felt like cheating, but that "enormous distinctions exist between what is exact and what is authentic for the work."

Roscoe is not, by any means, the most straightforward of the stories told in the handful of books I have reviewed here (that credit goes to Packer's guileless novel). *Roscoe* moves around freely, and with healthy disregard for the likely, the possible, and the true. But the risks Kennedy takes are not motivated by vanity or avant-gardism. He does not glibly avoid the most important elements, but rather seeks them out and engages them. Kennedy does not hobble along on overwrought crutches but rather finds what is necessary for the story he wants to tell. There is no disingenuous game of misdirection. Kennedy's clear vision of Albany shines with authenticity.

Ego, vanity & megalomania

by Michael J. Lewis

Every good correspondence deserves a quarrel, preferably a violent one; it takes an earthquake to trace the contours of a fault line. For fifteen years the architect Frank Lloyd Wright (1867–1959) and the critic Lewis Mumford (1895–1990) enjoyed a lively epistolary friendship, cemented by their commitment to a distinctive American modernism, rooted in the indigenous intellectual tradition of Emerson, Whitman, and Melville.¹ But their brutal falling out over a matter peripheral to their correspondence (American entry into World War II) showed how different their visions were. Such is the theme of this curious and charming book.

In 1926 Mumford received an unexpected fan letter from Wright, congratulating him on his essay “The Poison of Good Taste,” published in H. L. Mencken’s *American Mercury*. Mumford was already a critic of some prominence. Born in New York, he had studied for a few years at City College before dropping out because of incipient tuberculosis. This was the extent of his higher education. Essentially an autodidact, Mumford combined the theory of Ebenezer Howard, the founder of the Garden Cities movement, with that of Patrick Geddes, the Scottish polyglot known best for his promotion of regional planning. He discovered that

the concerns of the planner—housing, public space, urban form, geology—when taken in total and presented in the form of the literary essay, provided a platform from which to speak about all of culture. Mumford made his mark with *The Story of Utopias* (1922) and *Sticks and Stones* (1924), developing a highly distinctive voice in architectural criticism, which he justified in sociological, rather than aesthetic, terms.

Mumford’s willingness to plead the case on behalf of American modernism caused Wright to view him as a potential ally. Wright was certainly in need of them. After a formative and turbulent apprenticeship with Louis Sullivan and a dazzling early career, which produced such landmarks as the Larkin Building, Buffalo (1903) and the Robie House, Chicago (1908), his practice had been poisoned by scandal and personal tragedy. He abandoned his office in Chicago, spending much time in Los Angeles and in Japan, where he built the Tokyo Hotel (1913–22). In 1926 he was still struggling to revive his career, perhaps suspecting that his greatest achievements—such as the development of the Prairie Style house—lay in the past.

After Wright’s first note to Mumford, there followed a rapid exchange of letters, prompted by self-interest but also by considerable personal affection. The self-interest was not surprising. Wright clearly viewed Mumford as an invaluable publicist, and Mumford patently enjoyed his intimate ac-

¹ Frank Lloyd Wright & Lewis Mumford: *Thirty Years of Correspondence*, edited by Bruce Brooks Pfeiffer & Robert Wojtowicz; Princeton Architectural Press, 256 pages, \$27.50.

cess to a figure of such historical stature—he questioned Wright about Sullivan in preparation for his 1931 book *The Brown Decades* (Wright's response, and his account of Sullivan's tragic late work, is startling).

The undercurrent of affection here is surprising, given the prickliness of the correspondents, each of whom was an idiosyncratic thinker whose comprehensive personal philosophy purported to explain all of culture and society. Each was imperious (alpha males, in today's jargon), seldom straying into the domain of the other. Indeed the leitmotif of the book is Wright's persistent failure to induce Mumford to visit him at his compound at Taliesin, and Mumford's long litany of excuses. Clearly Mumford had no interest in being an acolyte, and he kept Wright at a distance, just as he had once rebuffed Geddes, who had tried to make him his successor. In fact, both Mumford and Wright had had troubled relationships with father-figure mentors, which perhaps accounts for some of their evident affinity.

Wright and Mumford began their correspondence at the time when America was becoming aware of the scope of European modernism, from the social housing projects of Holland and Germany to the rigorous experimental projects of the Bauhaus. They both followed European developments avidly, but as the letters gathered here make clear, both had serious reservations. In distinction to the theory-based modernism of Europe, they preferred an "organic" modernism that was the logical and progressive development of indigenous tradition, rather than one which was invented out of whole cloth. For Mumford the characteristic of American modernism, in all its varieties, lay precisely in the absence of radical manifestos or theoretical programs. This was as true of the jazz music of George Gershwin, who worked happily within the American musical tradition, as it was of the skyscrapers of Raymond Hood (whose tapered pyramidal forms followed the setbacks mandated by New York's 1916 zoning ordinance). And if

the glistening terra cotta crown of his Radiator Building lacked the theoretical rigor of Mies van der Rohe's visionary skyscraper projects, it had the saving merit of having actually been built.

The most tangible result of the Wright-Mumford friendship was their participation in the "International Style" show at the Museum of Modern Art, the country's first comprehensive exhibition of modern architecture. In early 1932 its organizers, Philip Johnson and Henry Russell-Hitchcock, Jr., asked Wright to participate. Thinking that he was to be highlighted along with Mies van der Rohe and Le Corbusier, he accepted, only to discover that several American architects were to be shown, including Hood and Richard Neutra, both of whom he despised. (He particularly resented Neutra, the Austrian émigré who had served a brief and unhappy term in his office which he later exaggerated into a kind of apostolic succession.) Wright promptly resigned from the show in a remarkably ill-tempered letter to Johnson—which he copied to Mumford—that managed to insult the participants in the show, the motivations behind it, and even the sexuality of its organizers ("I expect to see you both here at Taliesin early next summer—with your wives. If you haven't got them now you will have them by then?")

Mumford was aghast. He sent Wright a frantic telegram calling his absence from the show a "calamity" and urging him to reconsider and overlook the ignoble company of Hood and Neutra: THERE IS NO MORE HONORABLE POSITION THAN TO BE CRUCIFIED BETWEEN TWO THIEVES. Wright promptly relented, and his participation in the show did much to relieve its one-sided emphasis on European modernism. But even as the International Style exhibition opened, the slow grind of the Great Depression was inexorably changing the tenor of Wright's and Mumford's ideas, and indirectly of their friendship. As American private building dwindled to a trickle, the European model of state patronage, based on public buildings and social housing, sud-

denly seemed more attractive. America's jaunty commercial towers—and the capitalist culture that had sustained them—stood equally in disrepute.

Mumford and Wright drew different conclusions from this new state of affairs. By early 1932 Mumford was becoming skeptical about capitalist individualism, writing that “communism seems to me to grow inevitably out of our lives today in communities. . . . Such individualism as we shall develop must now be expressed through the collective enterprise.” Increasingly interested in European modernism, he took an extended study tour to Germany that summer. Although he complained to Wright about “much formula, much dogma, much paper,” he praised the quality of the housing. Throughout the decade he would be a champion, albeit a critical one, of similar social housing projects in the United States.

Wright, for his part, rejected “the German tenement and slum solution” (his caustic phrase in a 1935 letter to Mumford), and drew opposite conclusions from the Depression, advocating a more radical individualism. He observed that the decisive factors governing American architecture would be decentralization, the automobile, and the private house. Taking these ideas to their logical conclusion, he envisioned Broadacre City, a decentralized and democratic America in which housing would be provided by modular units on privately owned lots—each one “a complete individual little free-holding”—dispersed across the landscape, the subjective distance diminished by efficient motor transportation.

As a drive through any American suburb will demonstrate, Wright was the keener prophet. But the tide was then with Mumford, who helped bring to America massive social housing projects on the European model and set in motion a four-decade federal campaign to build high-rise public housing—the most abject failure in architectural history since the Tower of Babel, whose hubris it rivaled.

Mumford's faint praise for Broadacre City (“I don't reject your Broadacre City as a romantic dream; but by the same token I don't think it is a universal solution”) wounded Wright. For the next two years, 1936 and 1937, their correspondence was conducted through Eugene Masselink, Wright's private secretary. After the start of World War II, their relationship grew even frostier. Mumford was an early agitator for American involvement in the war, writing several pro-interventionist tracts, including *Men Must Act* (1939), while Wright took a public stance in favor of non-intervention.

Mumford chided Wright for his politics in April 1941: “Are you still in the Neville Chamberlain period? Period politics are as bad as period architecture.” Wright wrote an uncharacteristically mild letter seeking a rapprochement, but in the meantime Mumford had received a copy of one of Wright's anti-war broadsides, in which opponents of Hitler were described as “gangsters.” This was too much. On May 30 he sent Wright a withering letter, calculated to inflict mortal blows. Wright's pacifism was a surrender to “totalitarian corruption and slavery and terrorism,” while his venerable age was made an object of ridicule: “You have become a living corpse: a spreader of active corruption. You dishonor all the generous impulses you once ennobled. Be silent! Lest you bring upon yourself some greater shame.” Burning all bridges, Mumford published the letter in *The New Yorker*.

Wright seems to have been caught off guard by the attack, but he replied in kind, aiming likewise for the jugular. He contrasted his own role as a maker of tangible things (“I—a builder”) with the dilettantism of Mumford (“you amateur essayist on culture”), whom he portrayed as a hack with writer's block (“a vengeful, conceited writer. Another writer out of ideas.”) So began their decade of estrangement.

Not until 1951 was there reconciliation, brought about when Wright sent Mumford a copy of his book *The Sovereignty of the Individual*, inscribed “in spite of all.” Correspondence resumed and continued until

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Wright's death, although now with a valedictory tone—the reminiscences of veterans rather than the dispatches of warriors. And there was a clear element of parody when Wright now signed his letters “from the Democrat to the Socialist.” In retrospect, the cautious minuet between Wright and Mumford takes on the contours of high tragedy. Each possessed abundant reserves of humanity, rationality, and poetry, and their failure to act in concert during the critical decades of the 1930s and 1940s was one of the great lost opportunities of the last century. Had they not been tainted by a certain mix of ego, vanity, and more than a little megalomania—all abundantly on display here—America might have been spared some of the noxious atrocities of postwar architecture and planning. Bruce Brooks Pfeiffer, director of the Frank Lloyd Wright archive, and Robert Wojtowicz, the author of *Levis Mumford and American Modernism*, deserve our gratitude for this well-conceived, handsome, and very amusing book.

Step right up

Matthew Sweet

Inventing the Victorians.

St. Martin's Press, 264 pages, \$23.95

reviewed by Alexandra Mullen

Matthew Sweet begins *Inventing the Victorians* with a sentence that should send a chill down your spine: “Suppose that everything we know about the Victorians is wrong.” Horrors! Have we all been wasting our time for the last hundred years? Will more paper than Jarndyce v. Jarndyce produced be heading for the recycling bin? Here's Sweet's late-breaking newsflash: Victorians liked to have a good time, including in bed, and they didn't really put bloomers on their piano legs. The popularity of these vile canards is all the fault of the Freudians and the Bloomsburies and their (and our) craven need to prove our “modernity” by positing the Myth of the Stodgy Victorian.

This is news? Debunking misconceptions like these has been the chief occupation of Victorianists since at least the 1950s. Steven Marcus's book *The Other Victorians* came out in 1966 and since then the impulse to prove the randiness of Victorians has produced its own library. Consider, for example, the Case of the Modest Piano Leg: scholars haven't fallen for that chestnut in years. I know clarifying essays from 1974 and 1977 as well as a quick sideswipe from Gertrude Himmelfarb in 1994, none of which Sweet cites although he traces the same trail and quotes the same sources they do. So what poor ignorant savages require Sweet as a missionary of enlightenment? If you run through his many footnotes, Sweet's sources of stupidity on Victorianess come from popular journalism (such as a piece on woodworking in the *Atlanta Journal and Constitution*), a press release for a TV documentary on sex, and a recent English IKEA catalogue.

Still, Sweet's admirable-sounding aim is to restore a “rich and difficult and complex” view of Victorian culture. Here's a partial list of Victorian contributions to modern life that Sweet thinks are underappreciated:

ivf treatment, for example. Or the fax machine. Or the football [soccer] league, political spin-doctoring, extravagant publicity stunts, heated curling tongs, vending machines, the electric iron, the petrol-driven car, the suburban housing estate, feminism, the London Underground, DIY [do it yourself], investigative journalism, commercially-produced hardcore pornography, instantaneous transcontinental communications networks, high-rise public housing, plastic, free universal education, product placement, fish and chips, X-ray technology, microbiology, sex contact ads, paper bags, Christmas crackers, junk e-mail (by telegram, but still just as annoying), global capitalism, interior design and Sana-togen.

This list is so amusing that I feel like a spoilsport in puncturing Sweet's balloon. But here goes. Telegrams are not, in fact,

what we mean by e-mail at all. "Instantaneous transcontinental communications networks" is just a fancy way of referring to telegraphs. By "fax machine" I think he's referring to the telegraphs capable of transmitting images that date from about the 1870s; the "vending machines" he cites seem to boil down to one milk dispenser at a London branch of Sainsbury's. Athens surely saw its own political spin-doctoring, Rome had its high-rise apartment buildings, and sex contact ads (still preserved at Pompeii) must have made their first appearance east of Eden. What this list does show in miniature is Sweet's smoke and mirrors. It is true (as far as I know) that Victorians invented Christmas crackers and paper bags; it is not true (in any way that anyone cares about) that they invented feminism and global capitalism. The only way Sweet's sensationalistic claims can work, after all, is to blur distinctions between the huge and the minuscule, the important and the trivial, so as to render them all equal.

Sweet's book might not be smart but it does have its pleasures, especially if you're interested in freak shows, murders, opium houses, and the like. I learned some new things (the chapters about the tightrope walker Blondin and advertising gimmicks are quite good) and laughed over some news stories, but scholars have been both more systematic and more synthetic in going over similar material. (I'd recommend anything by the admirable polymath Richard Altick, particularly in this context *Victorian Studies in Scarlet* which first appeared in 1970.) As a further plus, the book is also usually free of the jargon that is one of the extremely dubious pleasures of reading most academic essays on Victorian underwear. Still, life is short, books are numerous. Few readers, I think, will find any compelling reason to take up *Inventing the Victorians*.

St. Martin's identifies Sweet on the book jacket as "a journalist whose work appears frequently in *The Independent* and *The Guardian*"; interestingly unmentioned is his

thesis on the sensation fiction of the 1860s (no surprises there). Clearly scholarship is not on anyone's ticket, and Sweet carefully displays his street cred by frequenting a penis-piercing parlour in the name of Prince Albert research. And the trade-off for the absence of academese is the presence of drum-rolling lines like "It is time for the freakish history of the nineteenth century to be reclaimed."

Sweet's choice of subjects, his attitude toward them, and the peculiar pop tone of this book give us a way of measuring both the trickle-down effect of psychoanalysis and contemporary literary theory and the trickle-up effect of '60s educational policies like "make it relevant" (accordingly Sweet begins his chapter on the Victorian reporting of sex scandals with his pointless encounter with Monica Lewinsky). For although Sweet doesn't talk like a post-structuralist, mocks psychoanalysis, and roasts Lytton Strachey, this book would be impossible without them.

Freud's great contributions to the twentieth-century included an attitude (smugly knowing better than you about yourself), an object of study (taking the previously marginal, such as a dream, a joke, or a slip of the tongue, as a central object of study), and, above all, the uncontradictable theory. Freud reveals himself in a 1911 footnote to *The Interpretation of Dreams* (1900):

A little time ago I heard that a psychologist whose views are somewhat different from ours had remarked to one of us that, when all was said and done, we did undoubtedly exaggerate the hidden sexual significance of dreams: his own commonest dream was of going upstairs, and surely there could not be anything sexual in *that*. We were put on the alert by this objection, and began to turn our attention to the appearance of steps, staircases and ladders in dreams, and were soon in a position to show that staircases (and analogous things) were unquestionably symbols of copulation.

No matter how much we protest that

something—anything—is not about sex, a canny Freudian can always claim we're repressing it. Dissent has been paralyzed. In our day, Freud's moves have been rechoreographed for cultural studies, deconstruction, the New Historicism, and so forth, in which obscure events are presented as revealing crucial trends—all the more significant, of course, for having been hitherto intellectually "repressed" by a hegemonic academic elite. Sweet castigates Freud for thinking that Victorians were repressed, but, perhaps unbeknownst to himself, he has adopted Freud's attitude and techniques.

One of Freud's first English readers, Lytton Strachey, is Sweet's main intellectual villain. Sweet identifies *Eminent Victorians*, Strachey's "poison-pen letter to the past," as doing "more than any other text to fix the twentieth century's attitude to the nineteenth." The book solidified the view that Victorians were stodgy, their beds filled with "bugs and disasters" (Strachey's phrase) and provided the disinfectant—ridicule. Further, Strachey deliberately (Oedipally?) distorted the Victorians to create a vision of his generation as brave oppositional figures, rebels, Moderns. This has been the standard view of *Eminent Victorians* since its appearance at the end of the First World War. It's not news. What might be news to Sweet is how much his own tone, as well as parts of his scattershot method, echoes Strachey. Strachey trained as an historian—his dissertation was on Warren Hastings and the Begum of Oudh (not, although it sounds like it, one of Strachey's jokes)—and his outrageousness was carefully calibrated. Even as early as 1912, Strachey wrote Lady Ottoline Morrell that he planned to write "from a slightly cynical standpoint." The onset of the war only hardened his resolve, and his counter-weapons to that older generation of blunderers were doubles entendres and cheating.

In a way—a Cretan way—Strachey plays fair: he tells you all decisions will be arbitrary and final. So we shouldn't be surprised that although he claimed to be

dipping his "little bucket" randomly into the Great Victorian Ocean, he cheated once again and in fact showed us four figures chosen as representative of the Victorian authority he loathed: an ecclesiastic (Cardinal Manning), an educational authority (Thomas Arnold), a woman of action (Florence Nightingale), and a man of action (General Gordon). Sweet's bucket is bigger than Strachey's, but the lucky dip is still rigged. Sweet's representatives of Victorian England are "the bisexual pornography in which the two heroes indulge in guiltless sex with each other before climbing into bed with the two heroines; the children's adventure serial starring a cross-dressing teenage boy; the advertisements that wooed people like you and me into meetings with personalities like Julia Pastrana the Baboon Lady, Miss Atkinson the Pig Woman and the Bipenis Boy." I don't know about you, but I'm not ponying up for Julia Pastrana.

It is at moments like these (and there are many) that Sweet's debt to the Modernity he castigates is clear. For he is not making a plausible argument that he is recreating a curious side of Victorian life. He is arguing both that such figures and activities constituted part of the Victorian mainstream and that they are positive goods. And he's also arguing that we should lap them up because they're really just like the Monica Lewinsky scandal, the Jerry Springer Show, and similar entertainments we happily feed on. Sweet pretends to find our age inferior to the nineteenth century, but precisely what he finds praiseworthy about Victorians is how they're "just like us": tattooed drug-taking mall-crawlers. If he's right, there's new force to Walt Kelly's words "We have seen the enemy, and he is us."

Fortunately, Sweet is wrong. Despite the bucketloads of circumstantial social detail crammed into his book, it's a profoundly ahistorical and inhuman work. The pleasures he so lovingly enumerates—the children's toys, opium dens, freak shows, and penis rings—are all physical ones. He displays no interest in mentioning, let alone understanding, the no less intense intellec-

tual or spiritual pleasures of the age, or domestic life outside of interior decoration. He has indeed invented his own Victorians, but they are automata without soul or mind. I think, in fact, Sweet should reconsider his relationship with Strachey, for he's already writing according to Strachey's motto in *Eminent Victorians*: "Ignorance is the first requisite of the historian." Sweet's book demonstrates that the spirit of the marginal has left the enclosed groves of academe and is walking the world at large. And that really is chilling news.

Tenebrous Teutons

John Warrack German Opera:
From the Beginnings to Wagner.
Cambridge University Press,
459 pages, \$62.95

reviewed by R. J. Stove

Italian opera before the mid-nineteenth century is a cavalcade of great names, from Monteverdi to the young Verdi. France's pre-1850 operatic tradition, less consistently impressive, still boasts a humbling succession of notables from Lully and Rameau to Berlioz and the young Gounod (whose *Faust* appeared in 1859, only just after our cutoff date). By contrast, Germanic-language music theater before Wagner's advent resembles not an artistic canon but a lunar landscape, with a few mountains jutting forth from seas of all too forgettable tranquility. There are three awe-inspiring peaks (*The Magic Flute*, *Fidelio*, and Weber's *Der Freischütz*); tallish markers elsewhere (Weber's *Euryanthe* and *Oberon*; Mozart's *Die Entführung aus dem Serail*). The rest, pretty much, is silence. (*Don Giovanni*, *Così*, and *Figaro*, of course, are in Italian.)

It somehow typifies early Teutonic theatrical underachievement that the first opera ever composed by a German—*Dafne*, by Heinrich Schütz—was hailed at its 1627 première but is irretrievably lost, its manuscript having perished in a 1760 fire. Im-

agine where a comparable disaster in, say, early English drama would have left mankind. Suppose fate, while revealing the name of *Everyman*'s playwright, had robbed us of the actual text.

We must therefore salute John Warrack, whose biographies of Weber and Tchaikovsky are laurels on which any scholar could rest with abundant pride, for artfully hammering out to over four-hundred pages a tale about which frankly the musical world does not give a damn and is unconvinced that it ever should. When a music lover contemplates in Warrack's narrative such tenebrous names as Johann Caspar Kerll, Reinhard Keiser, Johann Adolf Hasse, Carl Graun, Johann Adam Hiller, Paul Wranitzky, and Heinrich Marschner, is he justified if his heart aches and a drowsy numbness pains his senses as if of *New Grove* he had drunk? Probably not: because CD catalogues—and the book's own staff-notation extracts—suggest that while he might seldom have overlooked outright genius, the above list's minor masters aimed at a higher mean level than comparably obscure Italian contemporaries, far more prolific than most of their transalpine equivalents, managed.

A handful mentioned above had about them nothing minor at all. Keiser (1674–1739) exhibited rare business acumen: in early eighteenth-century Hamburg (devoid of aristocratic patronage), he administered that unbelievable thing, an opera house that for years stayed in the black. As to Keiser's own musical creations, Handel several times paid him the compliment of plagiarizing therefrom. Keiser's *Croesus* achieved in late 2000 the honor of a complete commercial recording from Harmonia Mundi; were it or some rival record label to take seriously the other twenty-odd Keiser operas that survive, we might pity our former selves for our total ignorance of Keiser's accomplishments, much as we now pity our great-grandparents for their ignorance of *L'incoronazione di Poppea* and *Les Troyens*.

Even when the musical significance of Warrack's subject matter looks elusive—as

with the eighteenth century's deliriously popular singspiel genre, which separated footling ditties by hours of allusive dialogue as untranslatable as Gilbert and Sullivan—there comes the modest but sharp pleasure from the realization that the big boys respected such stuff. Exhibit A in this context is Marschner (1795–1861), who attained fleeting European renown from two exercises in operatic horror: *Der Vampyr* and *Hans Heiling* (a variant of the Undine legend, except that this time *he* lures *her*). Both works have fitfully turned up on disc, neither providing in that medium many clues as to why they made early nineteenth-century audiences shudder and scream with fear. Yet audience members thus shuddering at the time included Wagner, who admitted his debt to Marschner's limited but curiously hypnotic idiom. Without Marschner, then, we might never have had *The Flying Dutchman*, while Warrack shows that as late as *Die Walküre* Wagner indulged in decidedly Marschnerian turns of phrase.

When Warrack leaves the realm of small triumphs for the more populous domain of noble failures, he sheds special light on oddities like *Jessonda* (1821). Composed by the once-revered Ludwig Spohr (1784–1859), *Jessonda* might these days be too statuesque for staging in toto; nor would anybody relish explaining to the local PC thought-police that Spohr's plot subverts the entire multicultural paradigm by deploring suttee. Still, Spohr's original audiences considered this opera immortal, and its CD appearance has confirmed what Warrack calls "superb inventions" amidst much anemic busywork.

As will by now have become excruciatingly obvious, the present volume defies skimming. Warrack simply will not let your attention wander when even, or especially, his least eloquent dramatis personae soliloquize under the spotlight. If this book were a piece of music, its composer would be none of those whom it actually treats, but, rather, Richard Strauss: whose intellect Warrack's own resembles, in its darting curiosity, contrapuntal elaboration, and urbanity tinged with mischief. Warrack's is, in

short, a thoroughly aristocratic mind. One could cite a dozen instances of its supple power, but the following—about a non-entity called Heinrich Esser—stands out, evoking as it does Max Beerbohm's tribute to history's greatest master of unintended stage farce, Savonarola Brown:

Esser's *Die Zwei Prinzen* (1845) is set in the time of the English Wars of the Roses, though also based on a French original. It is really the story of the love between Kätchen and Lambert Simnel, the pretender to the throne whom Richard Simon tries to promote as Graf Warwick. The ensembles never really find any dramatic momentum, and the music is simple and repetitive, with the best of it residing in naïve numbers such as a Romanze for Simnel in D flat, the increasingly popular key for Romantic intensity, *Lebt wohl, des Lebens schönste Träume*, and a cheerful *Arie* for Kätchen's father, a cook and innkeeper named John Bred.

Such prose cannot issue from a consciousness rendered apoplectic by ideological fixations, by nescience posing as virtue, or by the terror of collegiate disapproval. Underneath Warrack's elegant timbre can be heard that singularly beatific *sursum corda*: the sound of Theodor Adorno spinning in his grave.

Eyes wide open

Arthur Schnitzler Night Games and Other Stories and Novellas.
Translated by Margret Schaefer.
Ivan R. Dee, 272 pages \$28.50

reviewed by Tess Lewis

A haze of nostalgia has blanketed fin de siècle Vienna since 1941, when *The World of Yesterday*, Stefan Zweig's elegy for the "Austrian-Jewish-bourgeois culture that culminated in Mahler, Hoffmannsthal, Schnitzler, and Freud" first appeared. The Viennese bourgeoisie in the 1890s were, after all, the most cultivated and refined middle class in

the world, and they set an all but unassailable benchmark in cultural accomplishment. It was an era of relative innocence: the assumptions of the Enlightenment and faith in the ideal of human progress were unquestioned; the empire's endemic anti-Semitism had been in abeyance for two decades; the tremors of the tottering Hapsburg monarchy were easily ignored. Zweig described this "golden age of security" as an age of reason in which radicalism and violence seemed impossible.

The irrational was relegated to the psyche. Arthur Schnitzler and Sigmund Freud were charting the murky psychological depths of the haute bourgeoisie with equal intensity. Yet Schnitzler's depictions of Viennese neuroses in his fiction and drama were far more empathetic and, in their ambiguity, subtler than Freud's more objective and definitive case studies. For fear of being unduly influenced, Freud was reluctant to read his fellow doctor's work. He even avoided meeting Schnitzler for many years, confessing to the latter that he had done so out of a kind of *Doppelgängerscheu* or apprehension before his psychological double. Indeed, many of the psychological mechanisms analysed by Freud—the transmutation of desires and fears in dreams, hysterical manifestations of repressed libidos, the conflicts of *eros* and *thanatos*—are described intimately in Schnitzler's works.

Schnitzler, born to a noted Viennese laryngologist in 1862, pursued the medical career expected of him dutifully but without enthusiasm, abandoning it as soon as he was able to support himself with his writing. His literary success was initially *de scandale*. He was unflinching in his depiction of the moral hypocrisy of the era's sexual double standard, as well as the futility of the cult of dueling, which, although illegal, was central to the code of honor. In 1900, his short story "Leutnant Gustl," the interior monologue of a blustering subaltern justifying his fear of fighting a duel, so incensed the military establishment that Schnitzler was cashiered from the reserves. *Reigen*, a sexual morality play of ten overlapping amorous encounters,

culminating in dotted lines and lowered curtains, was published in 1903 but banned from the stage until 1920. Even then, the premiere caused a riot and the play was banned for a further year. Neither the prostitute in the first and last vignettes, nor the characters' promiscuity and the implied connection to the dance of death of spreading syphilis outraged the public as much as the predatory indifference with which the characters discard one another once their conquest is complete. Schnitzler's depiction of his era's underbelly was simply too accurate.

Yet Schnitzler's success depended on more than his ability to shock his contemporaries into recognition. His characterization is subtle and complex. And his portrayal of the subconscious strategies used to ward off threats to self-images are timeless in their exactitude.

Night Games, Margret Schaefer's smooth new translation of seven short stories and two novellas, including "Dream Story," provides a much-needed tonic to Stanley Kubrick's interpretation of the latter in *Eyes Wide Shut* and a reminder of the depth of Schnitzler's insight into the human character. Schnitzler knew his limitations. He noted in his diary that although he would never be one of the great writers, he was nonetheless quite confident that his capacities included "poetic elements of the first rank." These elements are very much in evidence in this collection.

His finely modulated interior monologues chart the evolution of his characters' self-knowledge. Each insight into oneself brings an immediate, compensatory shift in self-deception. In "The Widower," a young husband learns that his wife has betrayed him with his best friend, and we follow his progression through shock, indifference, rage, and rationalizing of his own infidelities, to a self-satisfied compassion for the suffering his friend must have endured in the deception. Yet these defenses collapse before the final revelation.

The title novella, "Night Games," is a prime example of Schnitzler's ability to create an intricate plot, which, with each

twist, upsets the tenuous moral balance it had just established. Lieutenant Willi Kasda agrees to help a friend pay off a gambling debt. Short of cash, he turns to cards. His evening begins with a spectacular winning streak. Otherwise measured, Kasda soon succumbs to fantasies of what a bit more ready cash will bring him. His fall is also spectacular. His honor in jeopardy, and unable to abandon his vision of himself as a privileged *romé*, he turns to Leopoldine, his uncle's wealthy estranged wife. Leopoldine is a former prostitute turned shrewd businesswoman who has gained control of the uncle's fortune. Kasda had once been involved with her, but, despite her many charms and obvious love for him, he callously left her. Now she hints that she will help him if he spends the night with her.

When Kasda realizes that she never intended to pay his entire debt, but only to leave a token thousand gulden in revenge for his having once paid her for a night she offered him out of love, he is indignant. "As if she could have any doubt that he would have thrown the whole eleven thousand back at her feet if she had dared to offer them as a payment for his services." But he soon has to admit what he knew all along:

that he had been prepared to sell himself. And not only to her but to any other, to anyone at all, anyone who could save him. And thus . . . he began to feel the hidden and yet inescapable justice that had trapped him not only in this sorry adventure but in the essential core of his life.

Each step that brings Kasda closer to the essential core of his life shifts the kaleidoscope of his past.

In Schnitzler's fiction, character is fate. Passions and insecurities that have been repressed or denied eventually manifest themselves with such strength that they appear as forces of destiny to the men and women at their mercy. Self-awareness, however, provides little defense. It simply makes for greater poignancy in the struggle.

Even the most astute characters are compelled to pay the exorbitant price desire demands for a happiness they know to be fleeting, if not altogether illusory.

More striking than his unusually fine sense of moral ambiguity is the contrast between Schnitzler's diaries and autobiography and his literary writings. In his diaries, he obsessively records his many, usually overlapping, affairs. And, while taking advantage of mores that not only tolerated but also encouraged male infidelity, he heaped scorn and invective upon his mistresses for their lapses, real and imagined. Yet in his fiction, even the most calculating of *grisettes* are portrayed sympathetically and accorded a measure of dignity.

Moral hypocrisy, depicted in full and unsparing tawdriness in his stories and plays, is dismissed cavalierly in his autobiography, *Youth in Vienna*. Schnitzler recalls a visit to a pretty chorus girl with his close friend Richard, who was in temporary recovery from syphilis. As the young lady was "undecided rather than demure," the two men drew lots. Schnitzler won, but adds that

since she had told me the name of her lover, a Hungarian aristocrat, and his doctor's indiscretion had previously informed me as to the condition of his health, and when, with my arm around her neck, I by chance touched a gland which according to my medical knowledge felt highly suspicious, I nobly waived the prize I had won and left it to my friend, who, fortunately or unfortunately was in no more danger from this direction.

Schnitzler then retreated to a café, and with "scornful irony" transformed the incident into fiction.

The Olympian balance between realism and idealism, cynicism and compassion that often eluded Schnitzler in his personal writing elevates his fiction above mere period pieces. While Schnitzler has painted an exquisite, nuanced, and unsparing portrait of his age, the urgency of his fiction rests upon his success in capturing the eternal drama of the inner life in intimate detail.

Pierre Matisse & his artists

by *E. V. Tham*

I have said it often and others have said it to me: "Someone should write a piece about Pierre Matisse." Throughout his long career as a distinguished art dealer in New York, he remained a taciturn and extremely private man who was felt to be remote and somewhat cold by many visitors to his gallery. Unlike, for instance, Leo Castelli, who became as famous as his artists, whose oracular pronouncements about art were treated as Delphic, Pierre Matisse never made a public or quoted statement that I can recall.

A list of the artists he represented, most of whom he introduced to America and promoted during the most difficult years of the art market, should be enough to ensure him lasting fame.¹ They include Calder, Miró, Giacometti, Chagall, Matta, Dubuffet, Matisse (his father), the Spaniards Saura and Millares, Zao Wou-ki, the sculptors Ipoustéguy and Reg Butler, Riopelle, and the Americans Loren MacIver and Theodore Rozak. He always denied that he "made" the reputations of his artists, claiming "My artists made me."

Typically, a collector or a fellow dealer, even a friend, would ask Pierre if he had any decent Mirós for sale. Silently, without any sales talk, Pierre or Walter, his longtime

handyman, would bring out three somewhat varied Miró paintings and put them on the floor in front of a black curtain. When asked "Is that all?" Pierre would shrug and say, "That's all I have right now." Unbeknownst to the collector or the art world at large, there would be as many as 500 Mirós in the gallery's warehouse. This was only revealed after Pierre's death in 1989 as he approached his 90th birthday. The gallery's holdings at that time totaled more than 3,500 pieces by most of his best artists. This inventory needed to be sold en bloc to avoid the forty percent corporate tax on top of the nearly sixty percent estate tax both of which would have applied had the gallery continued to operate. The executors negotiated the largest single sale in art history, selling the gallery corporation (not the inventory per se) to a Sotheby-Acquavella joint venture for more than \$160,000,000 (*not* the amount reported at the time).

Pierre started out to become an artist, studying with André Derain, a friend of his father's and someone who was particularly fashionable in the early twenties when classicism and figuration were returning to favor. Pretty soon he realized that his talent was not robust enough for a real career as a painter (especially one bearing the name Matisse).

In 1924 he came to New York and began his life as an art dealer working the first few years for a particularly knowledgeable and tasteful dealer named Valentine Dudensing.

¹ This article is occasioned by the exhibition "Pierre Matisse and his Artists," on view at The Morgan Library, New York, from February 14 to May 19, 2002.

His was one of the seminal galleries for European modernism at its most adventurous, where one could find cubists, fauves, and other such post-Armory show items, but also Mondrian and curious new 57th Street oddball fashions such as Louis Eilshemius.

In 1931 he left Dudensing and opened his own very modest gallery on a high floor in the Fuller Building at 57th Street and Madison Avenue. He stayed in that location for almost 60 years until his death, renting larger space on a lower floor which became a legendary location because of the high quality of the shows, the superb installations, and the beautifully designed catalogues. During the war when so many celebrated French artists took refuge in New York, the Matisse gallery was their natural gathering place, where French was spoken more than English and Paris was the real home base. In 1942 Pierre organized what is now a legendary exhibition, "Artists in Exile," mostly surrealists, but also Leger, Mondrian, and Chagall.

At the end of the war in 1945, he put up an exhibition of the great series of intricate gouaches by Miró called "Constellations." These small pictures on paper were like Bach contrapuntal chamber music and were immediately recognized as masterworks by the collectors who had first chance to buy them. Pierre told me that a couple of sales were cancelled, however, when the buyers arrived at the gallery to find that the works were only gouaches and not oils. If I remember correctly, he said they were priced at \$5,000 each. The most recent one up for public sale about a year ago brought \$5,600,000.

1948 saw the gallery displaying the first of a series of stunning Giacometti shows with the great existential sculptures, the "Pointing Man," the "Chariot," the "Nose," etc. At that time or a little later in the early fifties, several prominent Abstract Expressionist artists, including Jackson Pollock, offered themselves to be handled by the now much admired Pierre Matisse Gallery. But Pierre, after mulling it over, refused. His roots were simply too European and his plate al-

ready too full with the major artists, especially Miró, whom he needed to promote and sell. Miró in particular was admired by Pollock and his friends.

Of course, another impediment to adding the major New York School painters was the fact that Pierre worked differently than most American art dealers. He bought his artists' work outright, choosing during regular studio visits, yearly or half-yearly.

After the war, as the art market in France and Europe generally began to improve, Pierre had to divide his representation with others like Galerie Maeght for Miró and Giacometti. Each bought half the artist's annual releases and in the case of cast sculpture, half the edition. Pierre, therefore, no matter how much he sold, was always short of funds and fell well behind sometimes in his payments to artists.

The gallery archives, now permanently housed at the Pierpont Morgan Library, contain hundreds of interesting letters to Pierre from Miró, Balthus, Giacometti, Dubuffet, and above all Henri Matisse. The artists write a lot about money and their immediate need for it—please send something! But the letters are also filled with genuine friendship and gratitude for what Pierre was doing. Henri Matisse, famous in art legend as a difficult, selfish, cold, martinet of a father, reveals in his letters to Pierre a genuine warmth and constructive interest in his career, and, in later years, a real dependence on Pierre for advice and family diplomacy. All this is very well told by John Russell in his book *Matisse: Father & Son* (Harry N. Abrams), which annoyed the current Matisse heirs because he quoted too liberally from the letters and somehow intruded on the turf of Hillary Spurling, who had written the first volume of a brilliant biography of Henri Matisse, and who was well into writing her concluding volume (soon to appear, I suppose). Russell's book never got the attention it deserved, suffering from Pierre's lifelong lack of a public persona and his excessive pursuit of absolute privacy.

I was lucky to get to know Pierre when I was a young and struggling art dealer. My wife, Clare, hit it off immediately with Pierre's wife Patricia, who still had the considerable remains of great beauty, a surrealist sense of madcap humor, and adventurous ideas of entertaining friends. After drinks at their beautiful house filled with marvelous works of art, we and the other guests would, at Patricia's orders, end up at a crazy Egyptian nightclub or an obscure spaghetti house behind a family grocery store. Her creative spirit and antic naughtiness seemed from another era, but it kept the somewhat dour Pierre amused as it did his small circle of friends.

Having admitted Clare and me into that circle, Pierre saw to it, in his own reticent and backhanded way, that I shared in some prosperity. He let me sell certain family paintings for him that he wanted sold discreetly; he gave me half-share partnerships in some of the things which were offered to the Pierre Matisse gallery. The only other art dealer with whom he shared in this way was his contemporary Frank Perls, whose gallery in Beverly Hills became a kind of West Coast outlet for Pierre. Frank's raffish ways and his sense of humor fit Patricia Matisse's "outré" style and Pierre's need to be stirred from his melancholy and workaholic habits. (He would usually go to the gallery on Sundays to poke around and improve the installations.)

Patricia died suddenly in 1974, and, since she had been the office manager of the gallery, Pierre hired Maria-Gaetana von Spreti as her replacement. She was an Austrian diplomat's daughter who had worked for the Paris dealer Heinz Berggruen, knew the art world, spoke the major European languages. Since her father had died, tragically, at his post in a terrorist incident, Tana, as she was called, needed a father figure.

Pierre, who was more than forty years her senior but still hale and hearty, with a villa at Cap Ferrat and a sailing yacht on the Mediterranean, as well as the charm of a Charles Boyer when he wanted to show it, soon married Tana. She fitted perfectly into his transatlantic life and developed her own close friendships with Miró, Zao Wou-ki, and the other gallery artists who were still alive.

Pierre even allowed himself to lean a bit in a Teutonic direction for Tana's sake. I remember meeting him in Vienna where the Matisses were visiting Tana's delightful mother, Countess von Spreti, and Pierre hosted a real "gemütlich" dinner at "Die Drei Husaren."

It was only after Pierre's death in 1989, as one of his executors, pouring through the effects and documentation of his long life, that I realized what a great man he had been, how much of the history of modern art he had affected, how superb had been his taste.

With very little prodding from me, Tana and Pierre's children created the Pierre Matisse Foundation, which secured and put in order the entire archive of his life and career. They commissioned the book by John Russell, they chose the Morgan as the repository which in turn produced the great exhibition "Pierre Matisse and his Artists" which closes in May of this year.

Before her own untimely death last year, Tana reestablished a foundation (Pierre and Maria-Gaetana Matisse Foundation) to carry out her own philanthropic plans. Again, I am an executor and now a trustee of her foundation. Pierre's legacy and Tana's generosity will be perpetuated as a continuing reminder of these two remarkable people who never sought any public applause while they were alive.

Sybille Bedford: the best she can do

by Brenda Wineapple

Fifteen years ago, while researching my biography of *The New Yorker's* Paris correspondent Janet Flanner, I came across a few of Sybille Bedford's letters squirrelled away in a box at the Library of Congress. What struck me, beyond the distinctive style and the atrocious handwriting, was the paper on which they were written, thin green sheets, carefully folded. At the time, I knew of Sybille Bedford only as someone I ought to read, one of those British writers strangely out of print in the United States even though her novel *A Legacy* had been the kind of bestseller in 1957 that even a curmudgeonly Evelyn Waugh had liked, despite its errors in Catholic dogma. (He also pretended Mrs. Bedford to be a man, which doubtless he considered a compliment). Reviewing *A Legacy* in *The Spectator*, Waugh helped launch the dazzling novel, and in America Janet Flanner inimitably took up the cause, calling the book "the most interesting, entertaining, and illuminating novel since Thomas Mann's *Buddenbrooks*, which it in no way resembles." Arthur Mizener, writing in *The Kenyon Review*, shook his head in terrified disbelief. The book was inhumanly perfect, he said, intending, I suppose, another compliment.

I also knew Sybille Bedford's writing refuses easy categorization, partly because she depicts with equal aplomb the trials of *Lady Chatterley's Lover* and of Jack Ruby, the history of Mexico, the court systems of Europe, and the life of Aldous Huxley in a

two-volume biography she once described as a labor of love. After *A Legacy*, she published three more novels and a book poignantly titled *The Best We Can Do*, an account of the trial of John Bodkin Adams, a physician who, when acquitted of murdering his elderly female patient, was rearrested for the same crime, different woman, before he had even left the courtroom.

Regardless, she has seemed, as she once said of Ivy Compton-Burnett, a well-kept secret, at least on this side of the Atlantic. I've often wondered why. Is it because we Americans tend to gather our authors into militant camps, as if a bona fide novelist can't be a crime reporter, a memoirist, and a student of wine, often all at the same time? Or is it because Mrs. Bedford summons rich veins of history that implicate us in what she calls "the invincible ignorance of man of man" and does so with a comic clarity that veers on the unspeakably tragic? Or maybe, more simply, her books have frequently fallen out of print in America, testimony once again to unfortunate changes in the publishing trade.

She came to publishing relatively late. Born in Charlottenburg, Germany, in 1911, after her parents' divorce she remained in the custody of her elderly German father, living with him in a small château in Baden, in shambles after the war, where they managed to survive by trading apples for flour, burning candles, and making oil from poppy seeds. An impoverished baron of epicurean taste who preferred to speak French at home,

her father taught Sybille not to overcook vegetables and how to draw the cork from the claret still sequestered in the cellar.

Hers was a nomadic, multilingual childhood. Her mother, a peremptory woman, British and beautiful, had not really abandoned Sybille; she was merely preoccupied with her own affairs, as was her habit. In 1921, from Italy, she sent for her daughter. Sybille's father died shortly afterward, and her mother packed her off to England, where she mostly avoided a formal education, listening for hours to the courtroom dramas in the Strand. For equally long periods, she joined her mother and second husband, a young Italian, now living in the mimosa-scented Côte d'Azur ("scouring mistral, unfudging sun"). There, in the small fishing port of Sanary, still unfashionable, Sybille tasted a savory unMediterranean cocktail of Ernst Toller or Raymond Mortimer, the painter Kiki Kisling and his wife Renée, Edith Wharton, the art historian Julius Meier-Graefe, a young Cyril Connolly, the German literary refugees, and her beloved Huxleys.

She began to write, choosing English, her mother's tongue. Maria Huxley typed chunks of her first manuscript, and Aldous read it, offering good, if tough, advice. That was in 1936. The Huxleys were bound for America, Europe for war, Sybille's mother, now morphine-addicted, for death. And Sybille? Three manuscripts rejected (too much milk-warm Huxley), a marriage, Hitler, New York, Rome: not until 1953, when she was forty-two, did she make a startling literary debut with her travel book about Mexico, *A Visit to Don Otavio*.

"I had a great longing to move," Mrs. Bedford explains in its opening pages, "to hear another language, to eat new food; to be in a country with a long nasty history in the past and as little present history as possible." The result is the luminous and funny story of two women in an unruly country, armed with Madame Calderón de la Barca's Mexican diary and a brisk sense of the absurd. A writer who shuns facile presump-

tions, blunt conclusions, and tell-all intimacy, she prefers to be spoken of as Mrs. Bedford or Sybille, "Bedford" being too mannish, "Ms." too unmannered. In *Don Otavio*, she appears as "S.," her companion "E.," both of them travelers (not tourists) doubtful about getting anywhere at all. "In a minor, a comfortable, loop-holed mitigated way," she writes, "one faces what Cortez faced in the absolute five hundred years ago: the unknown." S. buys a *Manual of Conversation*, and reads on page one, "Are you interested in death, Count?" "Yes, very much, your Excellency."

Droll, yes, and cool but never prudish, her prose is concrete, colloquial, tartly hilarious, and, disciplined in the Old Bailey, steeped in melancholy realism. "If a lawyer's mind means an ability to grasp facts and their implications, a gift of exposition, and a willingness to see the other side, then a lawyer's mind is an asset indeed for any writer," Mrs. Bedford remarks in her novel *A Favorite of the Gods*. Truth and lies and physical passion, what passes for innocence, myriad forms of betrayal, and the courage it takes to muddle through: these are the measures destined for our world. "Our capacities for suffering are not infinitely extended," she observes. "We bear; and may derive strength from having borne, comfort from being still there, comfort from any mercy: the faith of friends, the match struck by a stranger, discovery of reserves."

Though the courtroom may brutally reveal the impossibility of reconstructing, point blank, the way it was, the imagination takes over, reconstructing as best it can. "The worst we can do towards the past is to let it go by default," she notes in *A Compass Error*, her third novel. This too is the subject of *A Legacy*, a tale of moral failure, replete with Jamesian awakenings cum Austen wit, a coiled meditation on time and human folly and easily one of the best books of the last half century.

Set between the Franco-Prussian War and the advent of World War I, *A Legacy* is a parable of turn-of-the-century Germany, old-fashioned, Wagnerian, slouching to-

ward Armageddon. Its serpentine plot pivots around a young boy's courageous escape from the Prussian military school to which he is brutally returned and from which he is eventually released, a half-crazed embarrassment to the army. Placed in charge of a stud-farm, quite by accident he is promoted to captain and decorated by Kaiser Wilhelm. One day a fellow officer, sent to investigate, accidentally shoots him.

This death, a political and military scandal, is the odd inheritance which the novel's narrator, his niece, patches together at second and third hand. For she needs to understand how she—and by implication, we—are connected to what precedes us. "The memory of the boy who was a man and died before I was as much as born, and of the school I never saw, were part of the secret reality of my own past," she tells us. "For me, it was never a new story. Every second hand touched a first; to every fragment there had floated up another—this phrase had been the key to a remembered look, this fib belied an earlier one, this hint illumined words once overheard, this tale resurrected the mood of a whole winter."

To Mrs. Bedford, history is how we get back to those persons and places we love, what they say to us, what we owe them, and how they diminished us even as they gave us everything—"able to wound, able to

heal." Subtitled a "biographical novel," her most recent book, *Jigsaw: An Unsentimental Education* (nominated for Britain's Booker Prize in 1989), traverses the past, drawing on the events and people from her early life (what novel does not), some named, some disguised, each "what they seemed—at various times—to me." Callow Billi, the narrator, comes of age in Baden, Sorrento, Fiesole, London, and Sanary-sur-Mer during that illusory period of freedom between two wars while her beloved, impossible mother, once a Fabian socialist, now a ravening junkie, loses her grip. It's a harrowing book, poised and heart-piercing, a story of our times.

I still remember my shock when I received my first letter from Sybille Bedford, written on the same green sheets of paper I had gingerly unfolded in Flanner's archive. I told her. It made her feel a bit posthumous, she said. Not at all. A kind and modest woman with dark blue eyes and a low voice, Mrs. Bedford loves what she calls the deep-grooved pleasures of daylight and proportion. Ninety-one in March, she lives in London, still savors good wine, still writes on green paper. Here in America, Counterpoint Press is reprinting her books, deep-grooved pleasures coming at last for anyone who hasn't read her yet.

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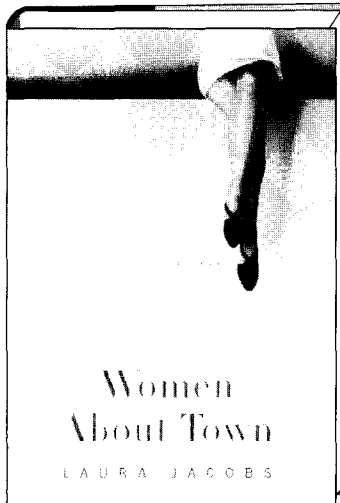


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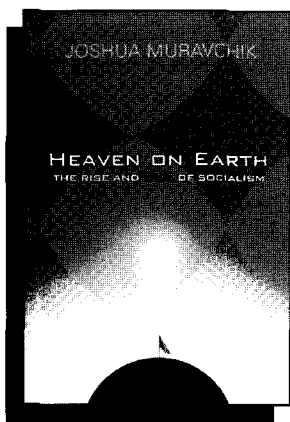
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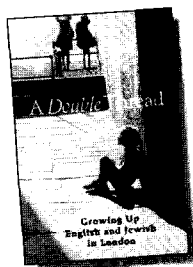
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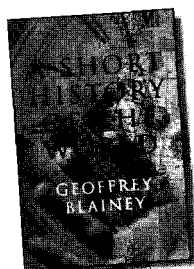
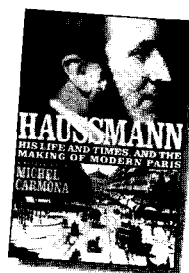
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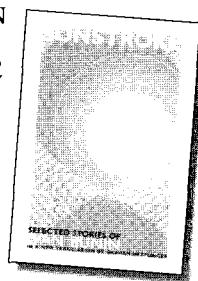
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